

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, FEBRUARY 8, 2005

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR

License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator

Peter O'Hara

George Ford

Bob Boggs

Tony DiStefano

Sara Segal

Sam Berman

Julie Cheever

Julian Hultgren

John Budroe

Gloria Yaros

Michelle Passero

Jan Blum

George Dies

Mark Trigiani

Jerry Anderson

David Sutter

Edward Callanan

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on February 8, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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1 FACILITATOR KERN: Welcome, everyone, to
2 tonight's Presidio Advisory Board meeting for February
3 5, 2005. I'd like to welcome the Trust and their
4 contractors, the National Park Service, our regulatory
5 community, Presidio community members and members of the
6 public that may be coming here today.

7 Are there any changes or modifications to
8 tonight's agenda?

9 I think in -- we may pick up along the way
10 some things that may not be on here, such as the FOIA
11 thing that continues along. I have something to report
12 on that.

13 Nothing of great interest, but any
14 announcements?

15 All right. Planning committee report. I
16 think Mark is not going to be here tonight.

17 Is there anyone that might give a synopsis
18 of the committee meeting?

19 I know in a Jan is furiously looking at
20 her notes.

21 MS. BLUM: Which I'm not sure I can even
22 understand.

23 FACILITATOR KERN: Perhaps you could
24 just -- if you see anything there that --

25 MS. BLUM: Well, we had a visit from a

1 new agency that's working with the Trust in restoration
2 and they're called -- new to me, anyway, CDM.

3 FACILITATOR KERN: They're a contractor,
4 yeah.

5 MS. BLUM: Two representatives from CDM
6 to -- who are -- I would call them in my words -- not
7 theirs -- Caltrans experts.

8 They have had a lot of experience with
9 Caltrans and they're very familiar with the TEA grant
10 process, and our particular project as it relates to the
11 TEA grant. So they're going to be helping the Trust
12 write a --

13 FACILITATOR KERN: A project statement.

14 MS. BLUM: A project statement, thank you
15 very much, and they feel confident that they'll be able
16 to write the right kind of project statement that will
17 help us get the money.

18 We're going to pay them \$30,000 for that
19 report.

20 Okay. Michelle suggested there might be a
21 transportation bill for cleanup which we might like to
22 earmark for Mountain Lake, and that is relative, I
23 think, to the NRDC settlement in Southern California?

24 MS. PASSERO: Actually, that one, there
25 could be a bond initiative, transportation bond

1 initiative, so maybe there's an opportunity there. If
2 that surfaces, you know, try to talk to the committee
3 members.

4 MS. BLUM: Let's see. Baker Beach 1 -- 1
5 and 2 and all the As are very challenging. It's going
6 to be a very challenging site, and Brian Ullensvang gave
7 us a complete report about the scraping of the areas
8 will be done, how much brush will be removed, the
9 rerouting of the road.

10 It's probably going to be shocking for
11 some people who are not looking for that to happen, who
12 are not aware of that work that's going to be started to
13 clean that area up, but I thought he did a really
14 thorough job of alerting us to the road work and -- and
15 all of the removal and told us pretty much what kind of
16 signage would be available for drivers which he said
17 would be sure to notice a change. So it's going to be
18 quite remarkable.

19 Let's see. Craig told us that he was
20 going to be keeping us up-to-date quarterly on the
21 projected cost estimates on the sites, and the project
22 managers will become more accountable for their
23 estimates on cleanup and they're asked to explain why
24 they're on or off their estimates versus real costs as
25 they come in, so he was pleased to put that into place.

1 And Alan will be ready to review the
2 financial format with us in March at the community
3 meeting.

4 That's the end.

5 FACILITATOR KERN: Thank you. That was
6 very detailed. Very nice. So we already have an agenda
7 item down there for March, financial reporting.

8 Very good. So I mentioned we're going
9 to -- I could just say now before we get started on the
10 full reports that Dave, actually, reminded me to check
11 on the progress of our FOIA, Freedom of Information Act
12 request, which has been going on now with the Department
13 of Interior for a while, and I have called them and I
14 haven't gotten a message returned. So not too
15 thrilling.

16 Any -- any word from Alan from what you're
17 hearing?

18 MR. ULLENSVANG: I have no update. They
19 know that you exist now.

20 FACILITATOR KERN: Good. How nice. They
21 know that we exist.

22 MR. BLUM: And there was no news on the
23 mustard gas site, either, Army.

24 MR. BOGGS: There has been a little bit
25 of news, but I think probably George or Craig would be

1 the people to update on that.

2 FACILITATOR KERN: We'll make a note to
3 ask about that.

4 It seems to me that one of the things that
5 has come up as a rather urgent issue -- and thank you,
6 Jan, for --

7 MS. BLUM: You're very welcome.

8 FACILITATOR KERN: -- us to be aware of
9 has been the Baker Beach 1, tree clearing and things of
10 that nature.

11 A month ago, Brian talked about that after
12 everybody left, after a long meeting, and our last
13 committee meeting, we heard quite a bit about it.

14 For those of you who weren't at the
15 committee meeting, I thought it might be worth having
16 that talked about.

17 Would that be covered as part of the
18 normal --

19 MR. FORD: Yeah. I got a couple of
20 slides in here.

21 FACILITATOR KERN: All right. Great. So
22 we'll cover the Baker Beach tree stuff in that.

23 The newsletter article that we didn't get
24 to has been extended, and so we have another shot at
25 getting something done by a week or so from now.

1 If there's anyone that would like to join
2 me in writing something, I would welcome your input.
3 Otherwise, I will dream up something.

4 Last time I just didn't have a chance and
5 we sort of forfeited our opportunity, but I think we
6 will -- within a week we could reasonably get something
7 put together.

8 All right.

9 MR. BERMAN: I have a --

10 FACILITATOR KERN: Sam.

11 MR. BERMAN: -- question about the
12 article.

13 FACILITATOR KERN: Yeah.

14 MR. BERMAN: I don't know whether you
15 thought about -- whether this is a possible point for
16 the article, but, you know, the development of
17 alternatives for -- for landfill E is quite an
18 interesting history, and, you know, you have been so
19 much part of that, and it might be interesting -- in
20 view of the fact that the feasibility study is -- is
21 around the corner -- to talk maybe about the history of
22 that.

23 That could take up a whole article and
24 it's something that really shows the long-term effects
25 of the RAB and -- and what it could do.

1 So -- and this may be, you know, an
2 opportunity to -- to tell the history in some sense.

3 FACILITATOR KERN: Okay.

4 MR. BERMAN: So since you're the person
5 that's, you know, been on top of that right from the
6 very beginning -- and you also volunteered to write the
7 article -- I'm just feeding you with a thought that
8 might make it easier to do and something that you might
9 want to do, anyway.

10 FACILITATOR KERN: Okay. Seems like that
11 would be relatively --

12 MR. O'HARA: Sam, are you going to give
13 him a pen to do it?

14 MR. BERMAN: Pens -- you can't even
15 sell -- give away a pen anymore. You know that. Unless
16 it's got a laser diode in one end.

17 FACILITATOR KERN: I guess, then, without
18 further delay, we'd be ready to begin with our reports
19 and discussions. We'll go to George.

20 MR. FORD: Okay. Thanks.

21 Well, we'll -- I'll just go through the
22 slides and call them out. If you have any questions, go
23 ahead and call them out.

24 There are some projects I know a lot about
25 and a few projects that I know almost nothing about, so

1 if you ask questions, you'll find out which are which.

2 This is one of Chris' projects, landfill E
3 focused feasibility study. The document came out in
4 December. We'll be talking about it later, and the plan
5 is to release a draft to the agencies that includes a
6 preferred alternative at the end of March.

7 The small arms firing ranges F/S is out on
8 the street. The DTSC's approved the Trust plan to
9 include firing ranges in the PHS sites RAP.

10 Everybody should yell -- if you hear so
11 many initials and acronyms that you can't stand it, just
12 go ahead and yell and I can use the actual words.

13 EKI's handling this one, and Chris is also
14 working on getting some sampling done in the Building
15 649 basement, which I understand as of about ten days
16 ago was still a swimming pool. So it's going to take a
17 little longer to dry out.

18 Another feasibility study for 8 and 10.
19 The Trust, I guess, has agreed to present updated
20 conceptual alternatives, the ones that have changed
21 since last year to the RAB prior to the release to the
22 documents to the agencies.

23 I hoped to give you an actual date that
24 the thing was supposed to be mailed, but as Brian
25 pointed out this afternoon, we had about three different

1 dates working on Trust internal documents, and without
2 Craig here, I couldn't establish which one was closest
3 to the truth.

4 FACILITATOR KERN: So this Landfill 8 and
5 10 has been on our radar screen for quite a long time,
6 and I'm just -- is there still ongoing discussion or can
7 you characterize where the project is for us?

8 MR. FORD: It will probably be better if
9 Brian -- Brian, you're a little closer to it than I am.

10 MR. ULLENSVANG: Yeah. The Trust is
11 working on the building study right now. So there's
12 discussion in the document, but it's more how the
13 document is put together than what the alternatives are.

14 MR. BERMAN: So is there going to be a
15 date when you're going to present these conceptual
16 alternatives?

17 MR. FORD: It's a good question. There
18 has to be one.

19 I am guessing that it would probably be a
20 topic for next month's RAB meeting about a month from
21 now, because I think that's early enough. That's before
22 the document would be released.

23 FACILITATOR KERN: Jan.

24 MS. BLUM: It's my understanding that
25 there is supposed to be a study, a character study of

1 historical forest, which would affect the mediation of
2 landfill E that should be completed before we start
3 working around that area, and I'm wondering, George, if
4 you know anything about that.

5 MR. FORD: I know that the work has been
6 done to characterize the historical forest, but I don't
7 think the report is complete. But it's an interesting
8 point.

9 I would like to see it finished, as well,
10 so I will --

11 MS. BLUM: I think it's a crucial --

12 MR. FORD: -- make note of your question
13 and bring it up to the people who are finishing it.
14 Because it has been quite a while.

15 MR. BERMAN: Is that being done
16 internally in the Trust or is there a contractor doing
17 it?

18 MR. FORD: Internally. And that might be
19 the problem. You know, if there was a contractor, we
20 could shout at them. I'm going to scribble a couple of
21 notes here.

22 Okay. Mountain Lake. URS sent a draft to
23 the Trust for internal review. I guess we are going to
24 have them make some changes and then send it to the Park
25 Service for review and they will come out. For everyone

1 else in March/April.

2 I should point out that thence is one of
3 my favorite words in the whole world. You don't see it
4 out in the world by itself.

5 The Mountain Lake TEA grant, Park Service,
6 DTSC and the Trust are working together on a project
7 statement that will go to Caltrans, and as Jan
8 mentioned, the Trust has hired CDM for technical
9 assistance and we can brief you on the -- no. We
10 probably couldn't since this is -- I'm sorry. At the
11 RAB committee meeting. Yes. We could brief you at the
12 RAB committee meeting, but we can't do it tonight.

13 Is that something that you'd like to put
14 on the list for the committee meeting?

15 FACILITATOR KERN: Yeah.

16 MR. FORD: Okay. I apologize. My
17 secretary's pretty slow.

18 Landfill 4 and fillsite 5, the report's
19 out in the world and we'll get some comments on that
20 eventually. I think at the moment, it's probably no the
21 highest priority.

22 Fillsite 6A, the utility relocations have
23 been going on since I guess just before Christmas. They
24 are going to be finished momentarily. They've been
25 doing the water connections and that sort of thing. So

1 it's almost done.

2 We are fixing up the restoration plan,
3 stream design based on our consultation with RAB members
4 and the Park Service and we expect to re-release the
5 plan around the end of this month.

6 So that will be coming out again, and the
7 waste removal we expect to start in late spring of '05.

8 FACILITATOR KERN: George, can you say
9 how long you expect that excavation to take once it
10 starts?

11 MR. FORD: Well, it kind of depends on
12 the number of tons, but it's -- it will take at least
13 six to eight weeks.

14 I mean, the fastest it can get done is
15 about six to eight weeks, and if the tonnage is quite
16 high, you know, they will -- a good contractor will hit
17 a maximum in the number of trucks that he can run out in
18 the day and then it just takes more days to get rid of
19 it.

20 So, you know, it's possible that it will
21 go ten to twelve weeks. These things have a way of --
22 sometimes they take longer than we expect.

23 FACILITATOR KERN: Mary.

24 MS. TRIGIANI: George, is that excavation
25 area only across from the YMCA or is it east of the Y,

1 as well?

2 MR. FORD: Just across the street. The
3 buildings that go along Halleck over to Girard.

4 MS. TRIGIANI: Thank you.

5 MR. FORD: Okay.

6 MS. BLUM: George, that cement that
7 they're digging up, I don't really know what those
8 buildings are, those buildings on Halleck over to
9 Vargas, is that the sewer sign?

10 MR. FORD: They're relocating sanitary
11 sewers, water lines, storm sewers and I think there's
12 some underground electric lines there. Pretty much that
13 site had everything. Everything that you can think of,
14 that site had one or two of them.

15 So we're glad to have the utility
16 relocation out of the way so that that won't -- since
17 it's out of the way, it won't slow us down once we start
18 hauling the dirt.

19 FACILITATOR KERN: This may not be your
20 area, but it seems like fillsite 6 is another good
21 candidate to be tracking costs with this new cost
22 tracking set up that we have with Alan.

23 I'm just wondering now that we're
24 incurring these utility relocation expenses, if that's
25 all going into the system and --

1 MR. FORD: It is going into the system.

2 We haven't actually gotten that many bills from the
3 contractor yet.

4 So, you know, the -- the system for that
5 project is not full of data at this point, but -- but it
6 is being put into the system.

7 I think we've only gotten two invoices
8 from them so far.

9 Baker Beach 3 and 4, if you've been out
10 there, you know that they aren't there anymore. Baker
11 Beach 3 in particular is a big sand -- sandy valley, and
12 the Park Service has started replanting native plants
13 out there and the Trust is winding -- and the Trust
14 contractor. They're pretty much finished.

15 I think the only major chore that is left
16 to be done is the reconstruction of Battery Crosby Road,
17 and I don't know the precise schedule on that, but I
18 expect it would be fairly soon.

19 So there was a lot of -- a lot of bad dirt
20 out there, but it's all gone now.

21 And that's what it looks like. There are
22 three people down there in the valley for scale. I
23 don't think it's going to look like that very long if --
24 you know, if you've seen fillsite 5 recently, in a year
25 to a year and a half, a remarkable amount of vegetation

1 has become established out there, so I'm expecting
2 that -- that you'll see a similar advance of vegetation
3 here.

4 So in another year or so, I'll bet a lot
5 of it will be green.

6 FACILITATOR KERN: Sorry to interrupt.
7 Do you know if there are -- the work for the
8 revegetation like at fillsite 5, if there might be
9 opportunities for RAB members to participate in some of
10 the outplanting there?

11 MR. FORD: I hate to punt all the
12 questions back to Brian, but I think that's probably
13 another Brian question.

14 MR. ULLENSVANG: Yes. There definitely
15 are. Lew's here.

16 MR. STRINGER: The next day that's
17 available is Saturday -- what's the date? Not this
18 upcoming Saturday, but the week after, Saturday the --

19 MR. ULLENSVANG: 19th.

20 MR. STRINGER: At our regular Presidio
21 park stewards program which meets at the Baker Beach
22 field office normally or you can just come to the top of
23 Lincoln and we will be planting on that day.

24 I will not be there, but there will be
25 other people there that day.

1 FACILITATOR KERN: But you're going to be
2 planting at the site.

3 MR. STRINGER: We'll be planting at that
4 site, yeah.

5 MS. BLUM: This is the nine to twelve
6 program.

7 MR. STRINGER: This is the nine to twelve
8 program, yeah.

9 MR. ULLENSVANG: If people can't make it
10 on the 19th, there will be other opportunities, too.

11 MR. STRINGER: During the week on
12 Wednesdays, and if you would like to find out when, you
13 can ask me and I can give you the dates. I don't have
14 them in my mind.

15 FACILITATOR KERN: Awesome. Thanks.

16 MR. STRINGER: Sure.

17 MR. FORD: Baker Beach 1, 1A, 2 and 2A.
18 Boy, do I get tired of saying all of those. It's a good
19 project, but the name is kind of long.

20 This project is moving along. The -- we
21 are revising some geotech and cultural resource field
22 sampling plans. We spent them to DTSC about -- I don't
23 know -- ten days ago, and about a week ago, they gave us
24 comments on most of them, so we're -- that was quick
25 turnaround and were's going back and making some

1 significant changes to the geotech field sampling plan,
2 but we hope to turn that back around and resubmit it to
3 DTSC before the end of this month.

4 And then if they approve it, we will go
5 out and do a geotechnical and cultural field
6 investigation at the site, which if you go by there,
7 once we're doing that, it will be fairly visible.

8 There will be some machinery around and
9 kind of some visible things happening up on the tops of
10 the bluffs.

11 The brush and tree removal for the
12 cultural resource investigation is scheduled to start
13 next Monday, and that will be an acre or two of brush
14 clearing on the tops of and adjacent to some of the
15 existing batteries and historic earth works, and the
16 goal there is to -- most of these areas are so
17 completely overgrown with heavy brush that the
18 archeologists can't even see what the land forms are.

19 So they can't differentiate between
20 historic earth works that are part of the batteries and
21 just waste fill that's been dumped all over the place.

22 So the clearing is one of the first steps
23 in trying to resolve what's what and, you know, what's
24 waste that we need to get rid of and what is historic
25 earth work that we need to preserve.

1 And as part of that, also you've heard
2 about the relocation of Merchant Grove that we are
3 working on. It's a cooperative project the way it's
4 shaking out between the Trust, the Park Service and the
5 bridge district.

6 The Bridge District was planning some
7 improvements to Merchant Road. The Trust and the Park
8 Service are planning to realign it because particularly
9 a realignment can provide great benefits to the
10 remediation project.

11 It basically makes a number of very
12 difficult access problems and pedestrian and vehicle
13 management problems go away.

14 So we think it's going to be a good move
15 for the project, and we've been pushing it along on an
16 accelerated basis through the winter and now we've
17 gotten to the point where we're starting to argue about
18 money. In project speak, that means we're really close
19 to getting it going.

20 So -- but it will, I think, take a little
21 more time to kind of work out some of the administrative
22 details before we start.

23 We -- I imagine you know that we have
24 decided to split the project into two phases. Phase I
25 will essentially be removing all the waste that's on the

1 top of the bluffs, the easily accessible stuff, and that
2 would be done in the fall -- late summer and fall of
3 this year, and Phase II would be the -- getting the
4 waste off of the cliff faces, and that is scheduled to
5 happen in 2006.

6 Doug.

7 FACILITATOR KERN: With the -- we've been
8 kind of prepared for this bunch of trees where the road
9 is going to go through in a different place to come
10 down.

11 Should we be expecting that like in the
12 next week? When did you -- do you --

13 MR. FORD: Not in the next week. The
14 brush removal that's over -- which is all on the west
15 side of Merchant will start next Monday. I'd be
16 surprised if anything holds that up.

17 As far as the tree removals go, you know,
18 our goal -- we're trying to -- we want to get that done
19 in February, and I hope that we'll be able to, but
20 there's a few I's that have to be dotted and T's that
21 have to be crossed administratively before we can do it.

22 So, you know, I was probably -- the
23 chances of the trees being removed in the next week are
24 essentially zero.

25 In the next two weeks, you know, there's

1 maybe a twenty or thirty percent chance. As you go a
2 little farther out and we have time to iron out some
3 agreements, you know, it will happen.

4 MR. ULLENSVANG: It's probably worth
5 noting that we'll look at that in March.

6 MR. FORD: Correct. That's one of the
7 things that we've been kind of racing bird nesting
8 season, and this project, I think we're going to be
9 heavy consumers of the services of bird experts because,
10 you know, it's habitat every time -- everywhere.

11 FACILITATOR KERN: If you don't get
12 things done by bird nesting season, what would happen to
13 this -- could you do the project?

14 MR. FORD: You know, I'll -- I'm not
15 going to punt this one back to Brian. I'll give an
16 answer and he can correct me if I've blown it.

17 It depends. The general preference would
18 be not to remove any trees during the bird nesting
19 season, so really I -- I don't think that's a blanket
20 prohibition, so that if we -- you know, if we were going
21 to have a severe problem -- hardship, it might be
22 possible to get permission to remove those trees during
23 the bird nesting season.

24 However, the -- obviously nesting of birds
25 in or around those trees would shut the whole thing

1 down. So it may -- if birds do not occupy the trees and
2 we can do the studies to demonstrate that the trees are
3 free of birds, it might be possible to remove them in
4 the bird nesting season, but, you know, if we get birds
5 in the trees, then we stop and we wait and do it
6 August -- starting August 15th.

7 So did I --

8 MR. ULLENSVANG: Yeah.

9 MR. FORD: -- get that about right?

10 MR. ULLENSVANG: I think if the trees are
11 large enough, it would be very difficult for these
12 studies.

13 MR. FORD: Right.

14 MR. ULLENSVANG: So it's unlikely that
15 that will go forth during bird season, but not
16 impossible.

17 MR. FORD: I imagine -- well, you ask a
18 simple question here and you get about a twenty-minute
19 answer, and we apologize, but it just often is that way.

20 I -- I imagine most of you've seen this
21 slide before, but if you haven't, this is -- this is
22 from CaliforniaCoastline.org, which is like the greatest
23 Website.

24 It has pictures of the entire coastline of
25 California taken from a helicopter. A guy and his

1 wife -- a retired Silicon Valley executive and he's
2 retired and he's like 38 years old or something -- made
3 this his -- this his hobby and he's photographed the
4 entire coastline from Oregon to the Mexican border, and
5 the only place they didn't photograph was Vandenberg Air
6 Force Base where they were not permitted to fly, but
7 they have these pictures on the Websites, and if you're
8 interested in anything on the coast, it's really great,

9 I'm using their picture here, but I'm
10 making sure everybody knows I'm giving them credit.

11 This shows the Baker Beach -- 1A is just
12 off the picture to the left, but it -- it really shows
13 most of the Baker Beach sites, so you can see that the
14 stuff -- the waste that is -- the thin skin of waste
15 that's up on the top of the bluffs, there are challenges
16 in getting to that, but the waste that's down under the
17 green shrubbery way down on the face of the cliff, that
18 is some very hard stuff to get to.

19 MS. YAROS: What is it? Storage?

20 MR. FORD: I can tell you sort of the
21 minimum stuff. That's building debris, a lot of
22 concrete, bricks, wood, rebar, wire rope, sort of the
23 junk that you get when you demolish a building.

24 We believe that one particular location at
25 Baker Beach 1, there -- it's possible that there is ash

1 from an incinerator that the Army had on the top of the
2 bluff. We think they operated the incinerator and
3 probably just kicked the ash over the edge.

4 That we don't know for sure. We'll kind
5 of see as we go. It's possible that this area's so
6 windy that, you know, a typical flying ash, most of it
7 might have blown away over the years.

8 MS. TRIGIANI: Can you show us exactly
9 where the beach is? Do you know?

10 MR. FORD: I think I can.

11 Baker Beach 1A is just off the picture
12 right here, and it's actually a small deposit of roofing
13 material that was just dosed out of the top of one of
14 the large batteries.

15 Baker Beach 1 is an irregular lobe of
16 waste. You can see there's kind of a bowl here. Baker
17 Beach 1 is in the middle of this bowl.

18 The incinerator used to sit on top of the
19 bluff here. The incinerators's gone. We think there
20 could be eight to ten feet of fill sitting at the
21 incinerator site right on the top of the bluff in here.

22 Baker Beach 2A is a collection of debris
23 that -- here's another bowl, and it's a collection of
24 debris in here.

25 Just for location, this is Battery

1 Godfrey, which is the southernmost of the large -- of
2 the really large coastal batteries.

3 Battery Butell is sort of hidden right
4 here. This is Battery Marcus Miller, and about another
5 hundred yards off the picture to the left, you would
6 have the Golden Gate Bridge District's corporation yard
7 and the toll plaza complex.

8 And the last one, Baker Beach 2A is
9 essentially -- there's a collection of waste on the top
10 of the bluff, although some of it comes down the face of
11 the bluff right in this area.

12 MS. TRIGIANI: And George, how old are
13 these landfills? When did they commence?

14 MR. FORD: I think they're roughly the
15 same age as a lot of other ones, in that we think they
16 started either in the late 20s or early 30s.

17 They started dumping, and as to when they
18 stopped, I don't know that you can pick a day and say
19 that all right. That's the last day they disposed
20 there.

21 There is -- we know in Baker Beach 3, they
22 were disposing through the '60s and up into the late
23 '70s.

24 I think the thinking is that these
25 landfills are a little older than that, but, you know,

1 it's also quite possible that there was just sort of
2 free -- freelance dumping there, you know, even into the
3 '70s.

4 MS. TRIGIANI: But only by the Armed
5 Services?

6 MR. FORD: I would think so, although,
7 you know, we do have -- we have midnight dumping on the
8 Presidio nowadays, so, you know, it's conceivable
9 that -- that other people have dumped things, although
10 usually, you know, to back up and dump something over a
11 cliff like this is a -- that's some pretty scary
12 dumping.

13 You know, if I were a midnight dumper, I
14 would do what people do now, which is they go back in
15 the forest by central magazine or, you know, some
16 other -- they find a dead end alley and go down and just
17 dump.

18 Most of -- we find a lot of shrubbery.
19 It's like the tree, you know, arborists and landscaping
20 contractors.

21 It seems like a lot of them may end up on
22 a Friday night with a truck full of brush and they take
23 it into the Presidio and give it to us. Well, I mean --
24 you know, it's a fact of life.

25 It's -- we're the size of a small city,

1 and so midnight dumping is an issue I think in any city,
2 and so we have it here. Most of the stuff that gets
3 left here is pretty mild, and we occasionally find
4 business cards or invoices and other stuff in it and we
5 can track down the people who left it.

6 Okay?

7 MR. BERMAN: George, is it your
8 impression that those pockets that you show in those
9 pictures were originally part of the geology of the
10 coast?

11 So the coast actually didn't have a more
12 or less smooth appearance as you might think as you go
13 out further west, because when you go out further west
14 where there wasn't so much dumping, you don't see those
15 kind of pockets there.

16 MR. FORD: I'm guessing that those bowls
17 are --

18 MR. BERMAN: Artificial.

19 MR. FORD: No. I think they're natural.
20 I think those bowls existed naturally and were just
21 filled in.

22 MR. BERMAN: So they were magnets for
23 trash?

24 MR. FORD: Yeah. I guess is, too, that
25 just a steep cliff, what do they say? To a guy with a

1 hammer, everything starts looking like a nail.

2 If you were a 22-year-old in the Army with
3 a dump truck full of stuff, where do you want to dump
4 it? If there were a 300 foot cliff with something to
5 dump, that's where I'd go.

6 MS. TRIGIANI: Because why?

7 MR. FORD: If you were -- if you're an
8 8-year-old at heart.

9 MS. TRIGIANI: What a -- RAP to hang on.

10 MR. FORD: I think it's appropriate to
11 give it to the RAP. We can talk about the deep-seeded
12 beer cans to dump beer cans in monitoring wells. Air,
13 water, oxygen, there's one more, to put beer cans in the
14 monitoring wells.

15 Okay. Brian probably showed you a much
16 nicer version of this, but this essentially shows an
17 over -- aerial overview of what's going to go on out
18 here.

19 Here's Merchant Road coming from the toll
20 plaza. This is the existing trace of Merchant Road
21 which comes up to a strange little oblique intersection
22 here at Lincoln Boulevard kind of at the back corner at
23 some of the Ford Scott buildings.

24 They would be realigned to a new regularly
25 square four-way stop intersection where Story meets

1 Lincoln, and so that would be the new entrance to the
2 Presidio.

3 By doing that, it gets us all of this
4 space available for a staging area, which essentially
5 makes a really nasty problem moving equipment and
6 materials in and out of this area.

7 It simplifies it tremendously, which is
8 why we think this realignment is a good idea.

9 It shows you 1A, Baker Beach 1A, 1 --
10 here's the top part of 1 The orange is the Phase I
11 cleanup and the yellow is the Phase II that will be done
12 in '06.

13 Here's Baker Beach 2, which is really up
14 on top of the bluff, and 2A, which is on the face of the
15 bluff.

16 One of the interesting things is I think
17 probably seven-eighths of the waste occurs in area 1, 2A
18 and 2. I'm probably spending half of my time -- I'll
19 bet Brian's spending over half of his time trying to
20 figure out what to do with 1A.

21 1A is a relatively small waste deposit,
22 but it's very hard to get to. It -- it completely --
23 you're really walled off by historic batteries that it
24 might be possible to go over, but if you're going to go
25 over them, they have to be protected.

1 If you're going to haul over land, if you
2 go north, you have to go under the Golden Gate Bridge,
3 which presents some potential problems, and if you want
4 to haul south, you've got to go all the way down here.

5 This footpath is about two feet wide in a
6 lot of places, come all the way down here, and this is
7 the first place right here where there's a gap where you
8 can get between the batteries to get the waste out to
9 put it into a truck and haul it away.

10 So there is a way to solve that problem.
11 We just haven't quite settled on it yet. So -- but it's
12 just sort of interesting that some of the -- sometimes
13 the smaller parts of a site take more effort to figure
14 out how you're going to do it.

15 MR. BERMAN: The distance from the beach
16 is too great for a crane to come in there and just do
17 it, take it out?

18 MR. FORD: By water?

19 MR. BERMAN: Yeah. You get up right on
20 the edge of the beach and put an arm up there and scoop
21 it out.

22 MR. FORD: Yeah. When we started the
23 project, we were initially looking at water
24 alternatives, and we do a bathymetric survey along the
25 beach and what we found that you can't -- it's a

1 difficult place to land a barge because it faces the
2 open ocean.

3 You know, most of it is sort of a west-
4 northeast exposure, and it's a little -- you know, it's
5 a mile in from Mile Rock, but it still has a pretty
6 direct eastern exposure. So you see some fairly good
7 sized waves.

8 The other problem is that there are rocks
9 all over the place, and the few places that you can get
10 a barge in really close to the beach are not close to
11 where the waste is.

12 So that you would then be looking at a --
13 you have to figure out some way to move the waste
14 sideways up and down the beach to get it to a place
15 where it could be picked up and put on the barge.

16 So after we did that initial evaluation,
17 we concluded that it just made more sense to take it up
18 the hill.

19 MR. BERMAN: But couldn't a crane -- I'm
20 just curious the removal from one -- 1A, that small spot
21 there. I mean, if you could scoop it and not have your
22 trucks there, but have your trucks somewhere else where
23 the scooper can just move it to the trucks, then the
24 trucks don't have to go in there. The problem is access
25 for the truck.

1 So -- but if you have something that's on
2 the beach and not -- it's not a barge anymore because
3 the stuff is going to go out on the truck. It's just a
4 less complicated way of dealing with the truck movement
5 if the trucks don't go in there.

6 MR. FORD: Yeah. 1A, I don't think
7 there's a crane in the world that you could reach 1A
8 from the beach. It's about 250 feet vertically and
9 probably between 3 and 400 feet horizontally, and
10 that's -- you know, if a boom can't go below 45 degrees,
11 you're probably looking at a --

12 MR. BERMAN: 600 feet.

13 MR. FORD: -- 5 or 600 foot boom, and I
14 don't think you could get that that big and attach it to
15 a barge.

16 We also looked at the idea of trying to
17 put a crane on the other side to reach over and pick
18 this stuff up.

19 That is at least conceivable. The problem
20 is that your crane would have to sit right in a very --
21 in an area that is very heavily used by the bridge
22 district.

23 MR. ANDERSON: What do you have to reach
24 over?

25 MR. FORD: Battery Marcus Miller, which

1 is a 110-year-old concrete battery.

2 MR. O'HARA: What about putting a
3 conveyor belt?

4 MR. FORD: I think that's what we're
5 going to do.

6 MR. O'HARA: It seems to me that that
7 would be the easiest.

8 MR. FORD: Either put a conveyor -- if I
9 had to bet at the moment, I would say we'll probably use
10 a temporary conveyor to take the waste over the top of
11 the battery and dump it into a small truck to haul it
12 out to a stockpiling area, and that way we can keep the
13 trucks on the pavement.

14 A conveyor, you're really only -- the
15 battery's only at risk when you're installing the
16 conveyor and removing it. You're not going to have a
17 machine driving over the battery a hundred times a day.

18 MR. O'HARA: Where would the terminus of
19 the -- where are you proposing the put the terminus of
20 the conveyor belt?

21 MR. FORD: That one we'd probably just go
22 straight over the battery, which is a little hard to see
23 where the battery is, but this gray thing is the
24 battery.

25 So we'd probably just do a conveyor -- we

1 can get a little space down here. Just bring a conveyor
2 over and maybe a smooth, dump it down here and then a
3 truck can either go out this way or even this road
4 here -- it's called Doman Road -- is actually passable
5 by a small truck, and so it can be hauled up to the
6 staging area and then taken out.

7 MR. O'HARA: Makes sense.

8 MR. FORD: But there are a lot of people
9 who are interested in this. When we talk about driving
10 trucks along the coastal path, that makes the plant
11 experts nervous and the historic resource people don't
12 like it too much, either, because they're worried that
13 we're going to screw up the historic earth works.

14 When we talk about going over the top of
15 the battery, you know, the historic resource people are
16 very concerned about that. They don't want anybody
17 breaking their 110-year-old batteries.

18 MR. SUTTER: Are you going to solicit
19 proposals from the contractor how to do it?

20 MR. FORD: Yeah, we are. We think
21 it's -- you know, it's a complex enough project and
22 there are -- we have to write a good set of bid
23 documents because we -- you know, we really got to be
24 clear about what a contractor can do and what they
25 cannot do.

1 But that -- we are going to -- I always
2 like to hold it open for innovation by the contractor.
3 Because that's really what I'm hoping for here, that
4 especially with respect to the Phase II work where we're
5 trying to get that waste up the cliff that, you know, a
6 contractor may be able to come up with a clever solution
7 that we haven't thought of.

8 This actually is a picture of the top of
9 Baker Beach 1. It's a little hard to tell in this
10 picture, but that's where the incinerator used to sit,
11 kind of where the green -- green brush is just slightly
12 to the right of center in the picture.

13 Pretty scenic place to run and operate an
14 incinerator, and I haven't seen them, but I understand
15 there's construction photographs of the Golden Gate
16 Bridge taken in the mid-'30s where you can see smoke
17 coming up from this incinerator in the background.

18 MS. TRIGIANI: There was one incinerator
19 or more than one?

20 MR. FORD: I think just one.

21 MR. ULLENSVANG: What we found is there's
22 likely to have been two, one replaced the other.

23 MR. FORD: Oh.

24 MS. TRIGIANI: But on the same site?

25 MR. ULLENSVANG: The Trust actually had

1 the picture and it was from back in '98.

2 MR. FORD: Can we take bets as to whether
3 the first incinerator burned up?

4 MR. ULLENSVANG: I think it went over the
5 hill.

6 MS. TRIGIANI: Wait, wait. Went over the
7 hill?

8 MR. ULLENSVANG: Down the bluff.

9 MS. TRIGIANI: I'm thinking in the ocean.

10 MR. ULLENSVANG: No.

11 MR. FORD: So when we get that waste off
12 the hill, we may see the pieces of it.

13 This is actually a picture of Baker Beach
14 1A. The -- sort of the thicker brush. This view is
15 taken looking southward, but this thicker brush right
16 here I think is growing on top of the roofing material,
17 and you can see it's just a footpath that leads out
18 there, and on -- off the picture to the left is a
19 battery, coastal battery that separates the area from
20 the Bridge District's corporation yard.

21 MS. BLUM: George, do you know if they've
22 made any decision to permanently widen that path to
23 fourteen feet or not?

24 MR. FORD: Yeah. The discussion is still
25 going on, so nobody has decided about that yet. So my

1 vote is to make it a good wide path so that I can run
2 dump trucks on it, but --

3 MS. BLUM: Exactly.

4 MR. FORD: -- I don't actually get a
5 vote.

6 This is a view taken looking towards the
7 east of the area where the Merchant Road relocation
8 realignment would cut through.

9 The center line of the road would go just
10 about right through the middle of that white tree trunk
11 that's in the picture.

12 And this is what it would look like.
13 That's Story Road. You're looking across Lincoln at
14 Story Road and where I was standing when I took the
15 picture is roughly about the center line of where the
16 new Merchant Road will cut through.

17 Okay. On to less interesting projects.
18 RAP 3, chapter 18, which includes two non-petroleum
19 sites located in the commissary area and the CEQA
20 documentation are scheduled to go to DTSC around the end
21 of this month, and we're coordinating the commissary PX
22 CERCLA work with the corrective action plan that's also
23 being prepared for the commissary PX site.

24 So the idea is between the -- the CERCLA
25 components that are in RAP 3 and the commissary PX cap,

1 everything at the commissary PX site will be covered.

2 RAP 3 remedial designs. In December, did
3 some sampling at six sites in area B. The draft designs
4 are due in March.

5 We're planning to do all fourteen of the
6 area B sites in RAP 3 in a single procurement package to
7 try to get some economy of scale with the contractors,
8 and the cleanup is targeted for late summer and fall of
9 2005.

10 So we're trying to get this ready to go as
11 soon as RAP 3 gets signed.

12 MR. BOGGS: Is there going to be a
13 separate results report for that investigation or is
14 that just going to be part of the designs?

15 MR. FORD: You know, I don't know. I'll
16 have to find out.

17 MR. ULLENSVANG: It's one, but it may a
18 separate report, but it may change.

19 MR. FORD: That would be the way we
20 normally do it.

21 MR. ULLENSVANG: In a separate report,

22 MR. FORD: But I'll check and find out
23 for sure.

24 RAP 5, CDM is working on RAP 5. It
25 includes fillsite 1, landfill 2, El Polin Spring,

1 Battery Wagner, landfill E, Mountain Lake and fillsite
2 6B. I gather that Craig has been talking with Bob about
3 adding miscellaneous sites to RAP 5.

4 MS. BLUM: I have some other studies that
5 may include Landfill 8 and 10, and I think the Trust
6 owes us not only the historic forest character study,
7 but we have the rear recovery report and the wind study
8 report before we detail out any -- and that in my
9 opinion needs to be done before we can consider any kind
10 of remediation for these particular areas. Those are
11 overdue from the Trust.

12 MR. FORD: Okay. I got the rear plan,
13 monitoring report, the lessingia recovery plan, wind
14 study.

15 MS. BLUM: Yeah, and the historic forest
16 character study.

17 MR. FORD: Okay.

18 MR. STRINGER: The wind study and the
19 lessingia study are both out.

20 MS. BLUM: It's available to the public?

21 MR. FREY: I assume. It should be in the
22 library.

23 MR. FORD: We can check on that. We can
24 tell you where it is.

25 MR. FREY: Yeah.

1 MR. FORD: If it's something that's
2 amenable to do.

3 Okay. I'll find out about those and we'll
4 have an answer for you by the committee meeting, anyway.

5 MS. BLUM: Thank you, George.

6 MR. FORD: The commissary PX, we've
7 gotten some draft -- we've got comments on the draft and
8 we're doing something good with the comments that we got
9 on the draft and Geometrix is putting all that stuff
10 together.

11 1065, we're working on a report on the
12 contingency action. You might recall we took out about
13 three or four hundred feet -- I think there was a steam
14 line that had been converted to fuel oil pipeline.

15 It's really annoying when they do that.
16 And that's coming out next month, and then after that,
17 MAPTEC will be producing a Draft Corrective Action Plan.

18 I don't have a date for when that's going
19 to come out, but I will try to find out.

20 Other petroleum, we're working on a Draft
21 Corrective Action Plan. It's due to the Water Board --
22 it was due I think at the beginning of this moment.

23 We've asked for an extension, so it will
24 be submitted on March 2nd, on or about March 2nd to the
25 Water Board. We're working on getting that ready right

1 now.

2 And Maptec is beginning preparation for
3 the cap for the 207/231 area. It should be interesting
4 because it's a complicated site.

5 FACILITATOR KERN: I was going to ask
6 some questions about both these. It seems that on the
7 207/231 site, that that is a really complex site and
8 that if -- and I'm -- it's just my own opinion, but if
9 the remediation department put out a really good
10 document pretty fast, you might be able to almost get
11 that site paid for since there are so many other
12 projects happening in that area.

13 It just occurs to me that with Doyle
14 Drive, the marsh expansion, Tennessee Hollow, everything
15 is happening in there that it would be really -- you
16 guys are kind of in the driver's seat to make something
17 really good happen.

18 MR. FORD: Mm-hmm. I hear you and I
19 think your idea is a good one. I also just know that in
20 a complex area like that, fast and good are really
21 hard -- it's hard to have both of those things together.

22 FACILITATOR KERN: Yeah. I can also tell
23 you that we spent -- I don't know -- something like a
24 year plus with the Army going through all the
25 alternatives for that site.

1 We had this little consensus building
2 project. We spent a lot of time on that, and so far we
3 haven't really had much discussion here about what's
4 being considered for that site, so I'm kind of looking
5 forward to that discussion.

6 MR. FORD: Yeah. I don't think there's
7 been much discussion within the Trust about what's
8 happening with that.

9 I think we're kind of just now getting to
10 that point where we're going to be talking about it and
11 thinking about it a lot more and -- and you guys will be
12 involved in that discussion, as well.

13 I know -- I mean, as I recall, 207/231,
14 the Army actually did a cap there, didn't they?

15 FACILITATOR KERN: Oh, yeah.

16 MR. FORD: Didn't they do a unilateral
17 cap?

18 They just went through a process for a
19 long time and wrote a document that probably could have
20 been written on day two without consultation?

21 FACILITATOR KERN: It was very
22 fascinating with their process, and the contractor
23 actually went out and submitted the results of this
24 whole kind consultative process at conventions and other
25 meetings.

1 MR. FORD: As an example of how not to do
2 it or an example of how to do it?

3 FACILITATOR KERN: Of all the success
4 they have, and as you said, they wrote their own
5 document and it's been on the shelf for something like
6 ten years or --

7 MR. FORD: Yeah. I had a copy of it at
8 one point.

9 FACILITATOR KERN: So there's a lot of
10 history at that site. I think it would be great to have
11 some discussion here about it. People would really
12 benefit.

13 On the 1349, I had the impression that
14 that site was kind of done as well by the Army, sort of
15 finished off, but I guess there's residual contamination
16 there.

17 Can you tell us a little bit about --

18 MR. FORD: There's some -- there are some
19 residual petroleum, some pesticides. I was going to say
20 there's some metals in groundwater that are probably a
21 result of the petroleum spill, but that's what we're
22 trying to work through right now is to figure out what
23 needs to be done about that.

24 I mean, you know, the soil problems are a
25 little more amenable to direct correction than

1 groundwater, but --

2 FACILITATOR KERN: And it's a fractured
3 bedrock area, so you could have things going a long ways
4 and -- I mean, is it reasonable even to be able to clean
5 that up since it goes down into the fractures and can be
6 transported away?

7 MR. FORD: Well, it's -- again, it sort
8 of depends. Generally speaking, stuff that's in
9 fracture, anything that's been transported in fracture
10 at some distance from the site, it's going to be very
11 hard to get it back.

12 For contaminants that still remain right
13 in the site area, even though they are fracture bound,
14 that kind of thing, there's at least a chance you can do
15 something about.

16 But we're -- we've actually had two drafts
17 of a 1349 cap and neither one of them has been ready for
18 release.

19 So now we're working hand in glove with
20 Brian to -- to try to get the thing ready because we do
21 not want to ask for a second extension on the time.

22 So it will come out on March 2nd. I can
23 tell you that.

24 Some people at BB&L may have an awful
25 couple weekends leading up to that, but it will come out

1 on the 2nd.

2 But we will -- we'll plan on -- I mean,
3 the 207/231 area -- both of these we can present them to
4 the RAB. I think the 1349, you know, once we get a
5 draft cap ready to go, we can present that.

6 I think 207/231, it's early enough in the
7 process we can do a presentation on that before the cap
8 comes together so you can see what we're dealing with.

9 MS. BLUM: It would be super helpful if
10 that presentation -- and this may be asking for a pretty
11 large presentation -- could be done in perspective with
12 the Doyle Drive -- Doyle Drive known progress report in
13 that particular area for construction.

14 Any news that we might have what's going
15 to happen with Doyle Drive. Instead of just treating
16 this separate entity, just the remediation site, I feel
17 strongly will be money for Caltrans digging up the whole
18 front end of the Presidio to do some kind of work, and I
19 know we have to clean it up and so on, but I'd like to
20 kind of get a context on what all is going to go on in
21 that area if that's available.

22 MR. FORD: Well, what I'd say, getting a
23 fix on what's happening with Caltrans, and also what's
24 happening with the marsh study is maybe a little bit
25 like grabbing a greased pig.

1 I think what we can do is sort of lay out
2 the -- what we have learned about 207/231 and then --
3 and set that in the framework of the decision processes
4 that are going on for the marsh expansion and the
5 decision process for Doyle Drive, but neither one of
6 those are at the point where they're producing a
7 decision yet.

8 MS. BLUM: Okay.

9 MR. FORD: So I think we can -- what --
10 we'll plan on providing the context, but it is -- you
11 know, we'll be doing this sort of explaining a process
12 that we're in the middle of.

13 I don't know if it will be very
14 satisfying. It won't be that definite.

15 MS. BLUM: Doug, can you add to that?
16 Tennessee Hollow, marsh expansion, Doyle Drive, all of
17 that stuff as you said comes into this area.

18 FACILITATOR KERN: Well, I think we can
19 help George and whoever might get the -- you know, we
20 can do some research on that and maybe even work with
21 them off-line and get them the documents or things that
22 we know about.

23 MS. BLUM: Okay.

24 FACILITATOR KERN: They know about the --
25 the cleanup and I think, you know, we can bring these

1 other studies to the table.

2 It's difficult. It's hard to know where
3 everything exactly is. We can help ourselves by doing
4 some research.

5 MS. BLUM: Okay.

6 MR. FORD: Okay. The mustard agent and
7 the SAR sites. I understand that Craig has been in
8 communication with Bruce Handle and that there is some
9 kind of product shortly coming from the Army that will
10 categorize the -- the results of the report, the SAR
11 report with a recommendation for additional work, I
12 guess. I know at the mustard site, and possibly at some
13 other sites.

14 MS. TRIGIANI: Oh, really?

15 MR. FORD: Yeah.

16 MR. ANDERSON: Additional research or
17 additional cleanup work?

18 MR. FORD: You know, I don't know.
19 That -- I apologize. This is one that I hope to know
20 more about, but I can find out.

21 Essentially what it is is a work product
22 coming out of -- some sort of a work product coming out
23 of the archive search report.

24 So I will -- I realize this is
25 unsatisfactory and I'll try to have a little more

1 information on this for the committee meeting so I can
2 elaborate a little bit.

3 Doug, you had said -- I don't know if
4 you -- we mentioned this one, this project at the
5 beginning of the meeting.

6 Did you talk with Craig about his
7 conversation with Bruce?

8 FACILITATOR KERN: No. Actually, no.

9 MR. FORD: Okay.

10 MR. BOGGS: I talked with him briefly.

11 FACILITATOR KERN: It was Bob.

12 MR. BOGGS: And hopefully we're waiting
13 for more from the core, but they did kind of submit a
14 draft thing that's not for release yet, just kind of as
15 a teaser saying -- I think they know that they're under
16 continuing pressure to get something out, so they're
17 kind of trying to feed a little bit into the system, at
18 least, to show that they're making efforts, but --

19 MR. FORD: Give us something so we'll
20 shut up and leave them alone for a while.

21 MR. BOGGS: What they've provided is
22 probably inadequate at this point, but we're hoping to
23 get more.

24 MR. FORD: What did we go, eleven months
25 or a year with nothing?

1 Okay. Well, I'll try to flesh that out a
2 little more.

3 MR. O'HARA: George, can you give me some
4 sort of an idea of what it is that you expect or that
5 you want? I mean, there's something coming in on the
6 truck, but what is it that you want to see?

7 MR. FORD: I think what the Trust needs
8 is a -- essentially recommendations for further --
9 further work, if necessary.

10 I mean, we need a conclusion that either
11 says okay. There were only three mustard gas bottles
12 out there and you found them all, so you can take the
13 fences down and you're golden.

14 It's unlikely that we'll get a
15 recommendation like that, but what we need is a
16 recommendation as to how to proceed, you know, so that
17 we can decide whether we can proceed or whether we --
18 you know, the Army has to proceed on our behalf.

19 You know, right now it's just kind of --
20 no decision has been made. We know that they did an
21 archive search report. We suspect that it may have
22 yielded results that are somewhat different than the
23 earlier reports that the Army did.

24 MS. TRIGIANI: Considering that there was
25 no mustard gas whatsoever.

1 MR. FORD: I don't know.

2 MR. ULLENSVANG: They have not done an
3 archive search report for the Presidio.

4 MS. TRIGIANI: Ever, but wasn't it that
5 there is no --

6 MR. ULLENSVANG: I don't think they said
7 that there wasn't, but they didn't provide that there
8 was. I think what we had asked Bruce for, whenever he
9 came, was to send his experts and have them review and
10 draw conclusions from the archive search report, which
11 is more of the claims.

12 We found these things, but it doesn't say
13 what it means, and the way the Army has broken it up,
14 they have done the research and another group to explain
15 the research and we were looking for that to tell us
16 what it is, if any, and at some of the sites would
17 resolve with additional work being done, and we talked
18 with the St. Louis Army folks that were here that there
19 were opportunities to do more photo work and delve
20 deeply into their files and that might be a suitable
21 next step as you might have whether there ultimately
22 needs to be field work or not.

23 MR. O'HARA: Okay.

24 MS. PASSERO: A background question.

25 Does the Army have some specified time frame to respond?

1 I don't know if it's in the agreement or maybe the
2 obligation's elsewhere, but is there some sort of time
3 frame? Whether it's in the agreement with the Trust.

4 When you're trying to work something out
5 like this, do they have you must respond within ninety
6 days or 120 days of when there is an inquiry or
7 something this way?

8 You know how sometimes agencies have their
9 own obligations pursuant to law? Is the Army bound that
10 way to be responsive, too?

11 MR. FORD: You know, I don't know. I
12 would have to look at the MOU between the Trust and the
13 Army.

14 My guess is that it probably says
15 something like "use best efforts," you know. The truth
16 is when it comes to compelling the Army to do
17 anything -- I mean, the RAB -- the Presidio RAB is maybe
18 for most experts on this, that you -- you know, you
19 can't -- there's no stick big enough to hit them with.
20 You can't make them do something they don't want to do,
21 just because it's a huge organization and it's not
22 designed for prompt public response. You know, that's
23 not part of their mission statement.

24 So, I don't know. I can look at the MOU,
25 but --

1 MS. TRIGIANI: Mission statement.

2 MR. FORD: There's a lot of things that
3 they do.

4 MS. PASSERO: Do they pay for opportunity
5 costs? Is that part of the damages that they can pay?

6 MR. FORD: I don't think so. I can check
7 the MOU, but I'd be very surprised if there's anything
8 in there about opportunity costs.

9 MR. BOGGS: If there's substantial costs
10 due, we can require them to move promptly, but that
11 doesn't seem to be the case where that exists, so we --
12 the way my understanding is is we now have an MOA with
13 the Trust -- an MOU with the Trust, and the Army has
14 delegated -- designated all the cleanup over to the
15 Trust, except for those things that are both retained
16 conditions, and those include the mustard agent,
17 unexploded ordinance, that type of deal where they have
18 the experts to really deal with that.

19 The other thing that happens with the Army
20 is during wartime, they have -- all other agreements are
21 essentially off. They don't -- so they aren't quite as
22 quick to respond right now as they might be otherwise.

23 There are some things that can be done
24 politically and legally to motivate them if they are
25 really dragging their feet, but I think we're a little

1 ways away from even getting to that point that's showing
2 that they're totally being negligent.

3 MR. FORD: Okay.

4 MR. BOGGS: So I don't think that they're
5 going to have that opportunity to get action from my
6 agency at this point.

7 MR. FORD: We finally have a few projects
8 on the -- at the end that we're hoping to close out.
9 Crissy Field operable unit, DEH, which is also at the
10 east end of Crissy Field, and Building 637 cap, which is
11 on the south edge of Crissy Field.

12 So we're hoping that in '05, we can get
13 those closed out.

14 Groundwater sampling was done right before
15 Christmas, so the samples are working their way through
16 the system, and the draft report will come out to make
17 Brian crazy, I guess, in another month or so.

18 MR. ULLENSVANG: It's due in a couple
19 months.

20 MR. FORD: Yeah. A couple months.

21 Lead based paint. The documents that have
22 gone out for the revised lead based paint plan,
23 technical approach work plan and a proposed plan and
24 fact sheet.

25 The Trust is waiting for an okay from DTSC

1 to start the public comment period, and in the meantime,
2 we're moving along.

3 Larson is moving along in cleaning up
4 additional buildings in accordance with the plan and the
5 technical work plan.

6 Some general notes on the schedule. RAP 3
7 we talked about, we're working on that to try to get the
8 cleanup started later this year.

9 RAP 4 is also being worked on to try to
10 get construction started -- it starts at 8 and 10 in
11 2006, and we are starting work on RAP 5 in order to get
12 ready for construction starts in '06 and '07.

13 So three RAPs in the pipeline right now.

14 MR. BERMAN: Are those all being done in
15 house, these preliminary work?

16 MR. FORD: No. These are all actually
17 being done by contractors.

18 Yeah. The plan now is that we -- the
19 Trust has got, what, five or six project managers. We
20 don't have the in-house horsepower to try to write these
21 documents in-house, so we hire it out.

22 FACILITATOR KERN: With -- with respect
23 to RAP 4 and Landfill 8 and 10 and I guess I -- I guess
24 I should just say once again that like landfill 8 seems
25 to be a highly controversial site that is going to

1 require some examination when we get the feasibility
2 studies stuff out.

3 It seems strange that we would be
4 spending, you know, dollars on the RAP, this document
5 when we don't -- we haven't really even decided or come
6 to the group to kind of work on what the alternatives
7 even are.

8 So I guess I should throw that out there
9 as --

10 MR. FORD: Well, I think we -- part of
11 the reason you start working on the RAP is so you use
12 that to -- that's a work where you develop some
13 alternatives, so you can discuss them. That's part of
14 what's going on.

15 I mean, you know, I think we want to have
16 alternatives developed by the people who do that for a
17 living so that we can then review them and discuss them
18 and add to them as we see fit.

19 FACILITATOR KERN: Well, I --

20 MR. FORD: You know, I -- there --
21 there's a lot of stuff in a RAP and there's a fairly
22 long lead time.

23 FACILITATOR KERN: I just thought the
24 alternatives were in the feasibility study. That is --
25 unless I'm wrong about that. I thought that's where we

1 saw the evaluation and the RAP was just -- here's what
2 we picked and this is why.

3 So --

4 MR. FORD: That is the classic definition
5 of a RAP. So I don't know. I have to plead ignorance.
6 This is a project that I spend little time with, but I
7 can find out.

8 Maybe we can get Chris to come to the
9 committee meeting, and if he can't, then maybe he can
10 fill me in on the planning process for 8 and 10.

11 MS. BLUM: And George, maybe Doug -- does
12 the natural resources get a chance to look at these
13 plans before they're put in -- rough drafts before
14 they're put in print; in other words, to circumvent
15 problems that may occur later?

16 Does natural resources have a chance to
17 look at some of the drafts that you have or remediation
18 in these specific sites?

19 MR. FORD: Well, typically they would. I
20 know for RAP 4, because landfill 10 is partly in area A.
21 I mean, the Park Service, natural resource staff is
22 paying close attention to what's happening.

23 MR. ULLENSVANG: I should point out that
24 we're not yet involved with the RAP.

25 MR. FORD: Okay.

1 MR. ULLENSVANG: We're only looking into
2 getting the feasibility study together. For those sites
3 in area A --

4 MS. BLUM: Mm-hmm.

5 MR. ULLENSVANG: -- we're early in the
6 process, as early as we get something from the draft to
7 usually include that.

8 MS. BLUM: That would go to the Trust, as
9 well, now that we have that active --

10 MR. ULLENSVANG: And George or Mark would
11 have to talk about when that is involved.

12 MR. FREY: Generally right now I'm
13 talking with Chris about landfill 8.

14 MS. BLUM: About landfill 8?

15 MR. FREY: Yeah. So it's sort of pre-
16 draft, so he updates me and I talk to him.

17 MS. BLUM: Okay. And I think all
18 those -- the studies are so important to these
19 particular areas to make sure that our natural assets
20 are protected in advance.

21 MR. FORD: I guess I'd offer the general
22 comment that the -- you know, the lead time on the RAPs
23 is long. It's quite common for us to be working on one
24 eighteen months to two years before the remedy's going
25 to get done.

1 So I don't think it's the kind of thing
2 that you can just keep -- I mean, the price of putting
3 the RAP work on hold is that the remedy -- whatever
4 remedy you eventually select may not get done till much
5 later because it takes a long time to produce one.

6 FACILITATOR KERN: I think I'm just
7 voicing heightened probably in the extreme category of
8 frustration about these sites.

9 I mean, I feel like we have been asking
10 about Landfill 8 and 10 -- I can probably find it in the
11 records for two years.

12 We've been hearing about we're going to
13 get the conceptual alternatives and, you know, I'll be
14 open to being corrected, but have I been asking this for
15 a long, long time?

16 And it just -- it's startling to me to see
17 that work is proceeding on the decision document --
18 anyway, that's just an opinion and a frustration.

19 MR. FORD: Okay. I'll pass it along to
20 the -- the parties who are working on the project.

21 FACILITATOR KERN: I suppose one way
22 to -- and I don't want to direct this at you, George,
23 but -- but you're the messenger, so it's like --

24 MR. FORD: It's okay.

25 FACILITATOR KERN: It's building up to

1 such an extreme degree that I'm getting the impression
2 that, you know, our -- is there something that people
3 don't want to say? Is it going to come out and here's
4 what we're going to do and you got ten seconds to
5 respond to it?

6 It's kind of -- what -- can somebody just
7 start talking to us about what is being considered?

8 We've got the cemetery site there. It's
9 just something that needs to get discussed out here and
10 what people are thinking, and it's not going to go away
11 by not talking about it, so --

12 MR. BERMAN: Well, just to put this on --
13 on a little more formal, would you agree, Doug, that
14 we'd like to make a request to hear at a committee
15 meeting a discussion on the alternatives?

16 FACILITATOR KERN: Well, we have that
17 down for the March committee meeting, the conceptual
18 alternatives would be discussed that, so yeah.

19 It seems like it's got to come out sooner
20 or later, whatever's being talked about to those two
21 sites.

22 MR. BERMAN: For both 8 and 10.

23 FACILITATOR KERN: Yeah.

24 MR. BERMAN: So presumably if there's
25 a -- if you've given this work to a contractor, it would

1 be nice if it -- if -- is it the same contractor for 8
2 and 10? Yeah. They're doing the RAP 4, right, just one
3 contractor.

4 MR. FORD: Yeah.

5 MR. BERMAN: So it would be nice if that
6 contractor could come to a committee meeting and -- the
7 next committee meeting and explain it.

8 It's down for March, but we don't really
9 have an agenda full yet for the February committee
10 meeting and maybe it might be possible to do this
11 earlier.

12 MR. FORD: Craig will still be gone at
13 the next committee meeting, and I have a feeling it's
14 too late to get ready for the February committee
15 meeting, but I'll check into it.

16 I guess from my perspective, what I'd like
17 to do is focus on the March committee meeting, if that's
18 already been thrown out as a possibility, and make sure
19 that both the Trust and the contractor are prepared to
20 do a proper job of it at the March committee meeting.

21 But Brian, do you foresee -- I think
22 you're a little closer to the process than I am.

23 Do you foresee a problem with --
24 describe -- giving a briefing on alternatives in March?

25 MR. ULLENSVANG: Not at all.

1 MR. FORD: Then plan on it.

2 FACILITATOR KERN: All right. We're
3 planning on it.

4 MR. BERMAN: So that's a hot action item
5 for you, George.

6 MR. FORD: It is until tomorrow morning
7 and then it will be a hot action item for somebody else.
8 I'll be running down the hallway behind him with a stick
9 saying, "Get ready." So, okay.

10 All right. This is sort of a generic --
11 I'm not sure where this came from. It seems like a warm
12 and fuzzy statement about good things to come from
13 project summary reports, which I believe they'll --
14 actually good things will come out of it.

15 Alan, our cost accounting guy is working
16 on them, and both loading historic data into projects,
17 because for projects that have been going on for a long
18 time, there's reams of stuff that he has to load into
19 the system as well as tracking the current expenditures,
20 so we will be seeing results from that shortly.

21 And recently released documents. Geotech
22 and cultural FSPs, if you haven't read them, you'd
23 probably leave them -- don't read them now because
24 they're going to be revised. Another two weeks, there
25 will be a new version out, the landfill EFS, the initial

1 study for RAP 3 and the 207/231 data report.

2 I think that's the last slide.

3 FACILITATOR KERN: Thank you, George.

4 MR. O'HARA: You're off the work.

5 MR. FORD: You know what? I get paid to
6 be on the hook, so it's okay.

7 FACILITATOR KERN: We should take a break
8 here, but if any of you need to leave at the break,
9 there is a document, a draft letter from the RAB that
10 you might take a look at. I'm going to try to get it
11 out over e-mail, as well.

12 It's a draft response for a comment letter
13 on RAP 3, and in it we have a comment on specific sites
14 and I'll be covering that briefly tonight after the
15 break.

16 So maybe we can take about ten minutes and
17 give our recorder a break and us a break and then we'll
18 come back and finish the meeting.

19 Thank you.

20 (Recess taken).

21 FACILITATOR KERN: All right. So we can
22 try to move people out of here in some reasonable
23 fashion, I think I'm going to try for purposes of
24 accelerating our comments on RAP 3 briefly discuss this
25 letter and ask you to possibly read it some more on your

1 own and I'll send it via e-mail. You can send me some
2 comments if you wish.

3 Effectively there's -- I always get this a
4 little bit wrong, but there's something like 31 sites in
5 this document, and many of them are -- we agree with,
6 and without going into all those, I think there are some
7 23 out of 31 that we concur with. So that's really
8 good.

9 George has been talking about some of
10 these tonight. The Baker Beach sites are included in
11 this, and we're all on board, all of those things.

12 I also want to say that we're sincere in
13 our appreciation and thanks to the Trust for how all
14 this work has gone and how this is done.

15 Then I've got comments on the eight sites.
16 Two of the sites, maybe George can help us a little
17 bit -- I don't know if you know, but there are two sites
18 in the document called the railroad tracks and the cold
19 storage area that I don't think we've ever received any
20 information on those, and if we did, I may have missed
21 it. They're in this document, and so we can't really
22 even comment on that yet.

23 Do you know?

24 MR. FORD: They're secret. We're never
25 going to tell you about it.

1 FACILITATOR KERN: Excellent.

2 MR. FORD: They are actually the CERCLA
3 sites that are down at the -- in the commissary PX area.

4 MR. ULLENSVANG: If you go through the
5 notes of George's presentation, chapter 8 is those two
6 sites.

7 FACILITATOR KERN: Chapter 18.

8 MR. ULLENSVANG: There's a slide on --

9 MR. FORD: Chapter 18 of RAP 3.

10 MR. ULLENSVANG: It covers two CERCLA
11 sites at the commissary PX area. Those that you just
12 mentioned will be given to DTSC in late February.

13 FACILITATOR KERN: So, given to --
14 chapter 18, it's in the document, but it's like
15 paragraphs saying that we don't have it yet. So we
16 actually don't have it.

17 MR. FORD: Right. We haven't given you
18 anything on that, but it's in the pipeline. There is
19 some stuff.

20 FACILITATOR KERN: Just checking that I
21 missed that.

22 Then there are the six sites. I realized
23 in reading this before I sent it out kind of when I
24 write these things, there's perhaps a little bit of,
25 shall we say, emotional content in the document.

1 So that needs to come back out and that's
2 usually part of the process of at least putting it out
3 there.

4 MR. ANDERSON: Why does that have to come
5 out?

6 FACILITATOR KERN: Well, because a lot of
7 people end up reading this and we've always -- this
8 stuff lasts for years and it's stuff we want to be proud
9 of and we don't need emotional content in this.

10 And so, you know -- but it kind of comes
11 out during the first draft, so it needs to come out in
12 future drafts.

13 MS. PASSERO: It's like catharsis for
14 you.

15 FACILITATOR KERN: Yes.

16 MS. TRIGIANI: Can we get rid of the
17 emotion, but leave the fervency?

18 FACILITATOR KERN: Well, this group has
19 always been persuasive. We don't overreach. We don't
20 put out anything that's just wildly speculative. It's
21 always based on something.

22 So I guess I would just quickly go through
23 these six sites to give you a flavor of what we're
24 talking about, and then you're free to give me
25 suggestions about style and all that.

1 Lobos Creek is the first one on the list
2 that I think deserves probably the most care in terms of
3 writing this paragraph.

4 There are three contaminants of concern,
5 at least in my view. They're not huge deals, but it's
6 lead, arsenic and -- and copper.

7 Copper being in Lobos Creek, there was a
8 hit above sort of action levels, just one; not a big
9 plume or anything, but copper is known to be potentially
10 toxic to aquatic organisms.

11 So that's something that I think is
12 important to not just explain away.

13 Well, we didn't have a lot of hits from
14 it, so it doesn't matter. That's the flavor that I got
15 from the document, so that's why you sense frustration
16 from why I'm writing here.

17 There's a lot of explaining away these
18 hits as not being significant, close to the action
19 levels.

20 Well, we have one or two that exceed it,
21 but they're not too important, so don't worry about it.
22 We don't think they're coming from the site, so don't
23 worry about it, and I just -- this is Lobos Creek. I am
24 worried about it, and I think we should be worried about
25 it.

1 And there have been numerous sampling
2 events around Lobos Creek and each one has found a
3 little bit of something.

4 To me, it looks just like Mountain Lake
5 looked and it seems like we ought to be active at
6 looking at this and really determining what's going on
7 in Lobos Creek.

8 So I think in general, all these sites,
9 these six sites that I comment here, they're being
10 looked at as no further action, but really they're --
11 there's not enough information yet to firmly decide to
12 not do it, in my view.

13 Now there's a lot of no further action
14 sites that we do concur on because the samples were
15 taken, there wasn't a problem. It was obvious.

16 We agree, but on these six sites, it seems
17 like there are things there that might be indicative of
18 a problem and it just depends on your outlook.

19 I'm not suggesting the remediation
20 department at all wants to get out of doing something.
21 They have plenty of things that they're selecting to do.

22 This would be a very difficult site, Lobos
23 Creek. It's not something that any of us would hope
24 that it would be contaminated. I just feel personally
25 that I'm not ready to say it's no further action.

1 And I can probably do a better job writing
2 this up and explaining some of the -- some of the
3 reasons.

4 Yes.

5 MR. BOGGS: One of the things that might
6 be helpful is actually providing the Trust with input on
7 what additional work would help demonstrate either A,
8 more work needs to be done; or B, no further action is
9 appropriate.

10 Sometimes, like you said, a lot of these
11 sites, it's a balance of is it worthwhile to go get more
12 information or do a cleanup instead, and we can't make
13 Swiss cheese out of every site, particularly sites that
14 are no further action sites since they're -- if there is
15 questions involved, what may also be constructive in
16 your comments is how to best resolve those concerns or
17 some ideas to resolve those concerns.

18 FACILITATOR KERN: Well, that's -- that's
19 totally fair, and having walked the whole length up and
20 down in the creek bed of Lobos Creek, there are areas
21 where there's debris in the bottom of the creek, fences,
22 bricks, bottles and some of these hits may be indicative
23 of -- while it may not be landfill 10, which is
24 immediately at the headwaters, it could be -- there was
25 lots of Army activities.

1 Maybe something else got pushed in the
2 creek, some other kind of landfilling; it could be from
3 the neighborhood side, but, yeah, that's fair to
4 indicate either additional work or how to resolve the
5 concerns. Appreciate that.

6 MR. SUTTER: Doug, I just have a general
7 question. I'm not second-guessing your comments, but
8 these no action sites that you're raising some questions
9 about, are these sites where the sampling has been
10 extensive and has indicated that there are not
11 contaminants above cleanup levels?

12 FACILITATOR KERN: Well --

13 MR. SUTTER: I mean, I'm trying to see
14 where -- where the line of demarkation is.

15 I mean, all of these sites have been --
16 have been sampled extensively or fairly extensively or
17 in accordance with current -- current signs and
18 practice, and I would presume that the Trust is finding
19 no further action results because they're not finding
20 contaminants beyond the cleanup levels.

21 Is that a correct assumption or is there
22 more involved or is that too simplistic?

23 FACILITATOR KERN: Well, I think it
24 should be somewhat that simple. I mean, it should be if
25 you didn't find anything, no further action. If you

1 find a lot of stuff, well, then we got to do something.

2 It's these sites -- I think all these
3 sites are in that gray area. There's something has been
4 found, but is it enough to do something?

5 There are hits of lead and arsenic above
6 the cleanup level.

7 Does that mean that you clean up the whole
8 creek? Not necessarily, and I'm not suggesting that
9 this deserves a cleanup.

10 They're not hugely above the cleanup
11 levels. They're not massively, you know, toxic, but the
12 explanations for what these hits are are not satisfying.

13 They're kind of explained away in a
14 fashion that I don't think should stand on the record
15 for something that we would agree to.

16 So there are hits above cleanup levels. I
17 don't necessarily disagree that they -- it should be
18 left alone, but I don't think we're there yet on Lobos
19 Creek to decide that.

20 It's not a very good satisfying answer.

21 MR. BERMAN: I think that's the character
22 of all -- at least the five of the six of those no
23 action is that there has been an occasional hit found
24 and the explanation for it is not sufficiently rigorous
25 that you can walk away from it and say that the no

1 further action is totally justified.

2 So I think the nature of the comments are
3 all that the level of rigor that public is demanding or
4 asking for is not shown in -- in the -- in the RAP When
5 hits have been found, and in the cases where we agree,
6 you read the report, there's no hits at all.

7 So, you know, it's really clean. It's
8 like you say, so the question is now when there are some
9 hits, what's the level of rigor that justifies the no
10 action, and I think what Doug is hitting on -- at least
11 Doug correct me, but reading your -- the letter is that
12 the level of rigor supplied in order to explain away the
13 occasional hit is insufficient.

14 MR. SUTTER: So the questions revolve
15 around the analysis, not the findings necessarily.

16 FACILITATOR KERN: The findings seem to
17 indicate that there are some issues. It's the -- the
18 decision of what to do with that, and -- and the --
19 there are requirements within the documents for I guess
20 the responsible party to offer an explanation as to why
21 they're not going to proceed with the cleanup, and I --
22 I'm not -- I'm not happy with how that reads. It's not
23 something that I would feel good to leave behind right
24 now.

25 MR. BERMAN: Doug, would you agree that

1 it's sort of -- would you agree with my statement -- I
2 mean, my interpretation in reading this stuff that the
3 level of rigor for justifying the no action is
4 insufficient?

5 FACILITATOR KERN: Yeah.

6 MS. PASSERO: I guess a further
7 clarification, because here, one of the recommendations
8 again -- I may bring it into a lot of detail at this
9 point, but perform more detailed investigation might be
10 one option, but the other option maybe is to further
11 explain or substantiate how they got to the conclusion
12 that they did, so maybe that action justifies or creates
13 more comfort with the no further action recommendation,
14 and if not, then this next step would be --

15 FACILITATOR KERN: Those would definitely
16 be options. One of the things that's in the back of my
17 mind, for example, is for years we heard that Mountain
18 Lake was a no further action site, but there were
19 occasional low level hits there, and it wasn't until
20 another study, a totally separate study by the
21 University of California that was looking at pollen
22 there that found the lead in high amounts, and if not
23 for that study, we wouldn't have found the lead in
24 Mountain Lake, and that's exactly what I'm concerned
25 about at Lobos Creek is there's something sitting there.

1 There's enough -- we're getting enough
2 detections of things that there are other reasons why we
3 could be getting detections in Lobos Creek. It's --
4 there's a large watershed there and there's materials
5 perhaps coming in from the City, and that would explain
6 some of the detections of TCE at the water treatment
7 plant, some of those organic chemicals, and those are
8 talked about in the report. I'm not really dealing with
9 those.

10 I'm talking about the inorganic, the
11 metals that are found in the sediment in the creek and
12 some of the things that are found dissolved in the creek
13 water, so -- yes, both those things that you said are
14 right as options.

15 Anything else on Lobos Creek at the
16 moment? I mean, I think it needs to be more properly
17 written, but those -- either more detailed field
18 investigation or a better explanation. Those would be
19 two good options.

1151/1153 brings up another issue. This is a relatively insignificant site. It's not something that I think that anybody should be too concerned about, but it's an area near a building I think that's paved over now for an entrance into a parking lot.

25 So I think it's -- it was formerly a PCB

1 site that had PCB contaminated soil. The Army did a
2 cleanup, but there was some remaining residual
3 contamination there.

4 So the Trust is asking for no further
5 action, but leave land use controls in place, deed
6 restrictions, basically, that the land or the property
7 could not be used for residential use.

8 I think those are all possible solutions.
9 It's estimated in the document that the land use
10 controls could run \$30,000 to implement, and I'm just
11 wondering.

12 I couldn't find in the document how much
13 it would cost to actually get at this remaining
14 contaminated soil, and it would probably be more than
15 \$30,000 to go in there and get the crew, dig up all the
16 asphalt, get rid of this very low level PCB, import a
17 clean fill and repave it.

18 But that's the issue that I have there.
19 Maybe it's not a big one, but it seems if you are going
20 to leave land use controls, who's going to manage it?
21 How are they going to keep track of it? What's it
22 really going to cost? And I think that's not an
23 insignificant problem to keep track of.

24 The way things are going on in terms of
25 development, you know, ten, twenty years down the road

1 somebody wants to redo something there, how do we know
2 that anybody's going to remember that there was PCB
3 contaminated soil there?

4 So that's another part of the comment
5 there. How are these -- who's going to manage it?
6 Who's going to be responsible for tracking sites where
7 there are land use controls?

8 We already talked about the railroad
9 tracks and the sole storage. 1450 and 1451, that's up
10 by the Nike facility, I think, a couple of buildings up
11 there.

12 This is sort of the same issue that I had
13 with Lobos Creek. There seem to be little level hints
14 there that warrant further investigation.

15 Graded area 9, it's a similar issue with a
16 slight wrinkle. I believe that -- that agents --
17 agencies may have some agreements at graded area 9 to
18 restore the site, but I don't know what those agreements
19 are and I think there are residual contaminants at
20 graded area 9.

21 And so I'd like to know kind of what the
22 deal is at graded area 9 so we can all sort of rest
23 assured that we know how the site is going to be
24 treated.

25 Right now it's a big sand pile on top of

1 it. I'd just like -- you know, it's been considered for
2 development and all sorts of other issues there. I
3 guess I just would like to know.

4 MR. BOGGS: When you're referring to
5 agreements with agencies, I don't know that we have any
6 agreement other than we allowed them to place the sand
7 pile there, and it was very clear there was a caveat
8 that that was being done at their risk if the site
9 needed further action.

10 So there's no agreement with our agency --

11 FACILITATOR KERN: Okay.

12 MR. BOGGS: -- at this point other than
13 we've allowed them to place the sand there.

14 FACILITATOR KERN: All right.

15 MR. BERMAN: But that's interesting
16 because in the RAP, there's no mention of any liability
17 involved in -- in the graded area 9.

18 FACILITATOR KERN: Right. It's --

19 MR. BERMAN: I think what you're saying
20 is there's a potential liability there because the sand
21 that's there may or may not be free of contamination.

22 MR. BOGGS: No. We're not worried about
23 the sand. It's the site underneath the sand.

24 MR. BERMAN: Okay.

25 MR. BOGGS: And so if that site that's

1 underneath the sand does require excavation and off-site
2 disposal for some reason, the Trust would have to move
3 the sand in order to get to that contaminated soil.

4 So their -- their risk is having to move
5 the sand.

6 FACILITATOR KERN: I think the way it's
7 been explained is that there may be some agreement to
8 restore the site and that will be just the Trust doing
9 that at some point, but how will the site be restored
10 and will it be ripped up? Will it be remodeled in some
11 way so that there would then be enough disturbance that
12 the soil would have to be tested and all of that, and
13 how would that go and what's the thinking?

14 It would be nice if we could understand
15 that so we could agree whether this no further action is
16 a good way to go.

17 So it's just -- it's a question mark; not
18 a big one, but maybe some simple answers could be --
19 could come out.

20 Building 215 is the area over by the
21 Burger King. There was a rush to get that area cleaned
22 up in an interim action, I think, because there was
23 going to be development at the site, and it appears to
24 me that there's still some residual contamination there,
25 but it's a no further action site.

1 So it has happened in the past that people
2 will ask for a quick cleanup. They'll get most of the
3 stuff cleaned up and then years pass and then it becomes
4 no further action rather than really tidying up the
5 site, and so I'm a little bit concerned that we still
6 may have some residual contamination.

7 There's also an issue about the hexa valia
8 chromium, but I may take that out of the document as
9 possibly -- well, it may not be our strongest argument,
10 but the hexa valia chromium was supposed to be --
11 originate up in the headlands where all of the
12 serpentine is, and that's where the detections were the
13 strongest, and by the time the chromium would have
14 transported down to the bay, it would have been reduced
15 to tri valia chromium.

16 Well, this is down by the bay, so it's
17 still hexachrome, so what's going on with the theory of
18 that? That may be a whole separate issue.

19 MS. TRIGIANI: Doug, when you say
20 "headlands," do you mean on top of the watershed?

21 FACILITATOR KERN: Yeah. Up by the
22 Inspiration Point, yeah.

23 Building 609, this is kind of a -- been on
24 odd site. It's been named -- different sites have been
25 named 609. It's also appears to be in the commissary

1 area where Building 609 is.

2 In this document, it appears to be no
3 further action.

4 I'm just wondering whether the activities
5 at the commissary might actually dig up some residual
6 pesticides that are here.

7 I don't know how that's being handled.
8 It's just confusing to me, so this just may be a non-
9 issue.

10 So that's the extent of our comments that
11 I have come up with. They're kind of at the edge and
12 they're just trying to be really tidy and hit every last
13 issue so we can feel like we did our absolute best on
14 this.

15 So take a look at it. I'm going to
16 extract my emotion from it and it will be a nice
17 document when we're done.

18 MS. TRIGIANI: When do you want comments
19 if we send them?

20 FACILITATOR KERN: Well, I think we
21 should discuss it next meeting at the committee meeting
22 and be ready to finalize it and have people sign on to
23 it, and if people are comfortable with it, and possibly
24 the agencies can give us feedback on some of these and
25 we won't even have to include it in the -- in the

1 document.

2 I guess everybody should put the big word
3 "draft" on this. I'm remiss for not doing that. This
4 shouldn't be considered -- it shouldn't float around as
5 an actual document. It's very much a draft. It's an
6 internal review draft --

7 MS. TRIGIANI: Got it.

8 FACILITATOR KERN: -- made public at our
9 meeting.

10 MS. TRIGIANI: Do we have to write all
11 that down?

12 MS. PASSERO: Just for the record, right.

13 FACILITATOR KERN: So I think for
14 consideration of time, let's step aside on landfill E at
15 the moment, unless anybody has any particular comments
16 that they think need to be raised tonight and go to the
17 regulatory updates.

18 MR. BOGGS: Well, I might as well start
19 with an update for landfill E, make a nice segue.

20 At the last RAB meeting, there was a
21 concern regarding Ptemp being considered an ARAR for the
22 site, and that kind of affects the cost estimate for the
23 clean closure alternative, and I had advanced that
24 discussion to our legal department and it actually got
25 escalated to the head of the legal department.

1 What kind of came out of those discussions
2 was here we talk about planning documents in terms of
3 potential future land use, and this helps us figure out
4 cleanup levels, whether it's going to be industrial or
5 residential, et cetera.

6 Here they're talking about having the
7 planning document that would necessitate the restoration
8 and affect the cost.

9 Our legal department was quick to point
10 out that when we go to approve a remedy, cost is
11 actually the least of our concerns. We actually have
12 the defining criteria over all protection of human
13 health and the environment, compliance with ARARs, the
14 regulations, et cetera.

15 So their point was that it's really a non-
16 issue for my agency whether that plays into the costs or
17 not.

18 As far as -- as long as whatever remedy is
19 being proposed by the Trust is protective of human
20 health and the environment.

21 So to make a long story short, although
22 there may be some concerns with the cost, that
23 alternative of digging up the whole landfill, it's
24 really an issue between the Trust and in their planning
25 process whether that actually has to be restored by

1 backfilling it to make it a ballfield or whether it
2 could be restored into a -- its natural habitat.

3 So you -- there's not a lot of backing
4 from my agency as far as saying that that's the wrong
5 way of doing a cost estimate.

6 Basically if our agency considered the
7 more expensive alternative was the only one that was
8 protective and the only one that complied with laws, we
9 would require the Trust to do it, but if there are other
10 alternatives that meet those requirements of being
11 protective, we're open to considering those, as well.

12 FACILITATOR KERN: You have a question.

13 MR. ANDERSON: Yeah. My recollection of
14 the discussion was not one of cost, but whether the
15 clean closure should be rejected because it it did not
16 meet ARARs.

17 MR. BOGGS: Well, that's where the issue
18 kind of -- they actually changed their wording mid RAB
19 meeting to be not that it wasn't compliant. It wasn't
20 consistent with.

21 And basically it was that they were
22 considering -- and it all centered around the Ptemp was
23 being considered an ARAR.

24 MR. ANDERSON: Right.

25 MR. BOGGS: Right. And so how -- there's

1 something such as Ptemp when you evaluate whether --
2 Ptemp can be what is -- there's classifications of
3 ARARs, classifications of requirements.

4 The Drinking Water Act is a type of
5 requirement that they have to comply with --

6 MR. ANDERSON: Right.

7 MR. BOGGS: -- no matter what.

8 There are things that are secondary
9 standards like taste and odor that there's not really a
10 threshold. They're supposed to try to comply with it,
11 but there's not a forcing regulation, so it's something
12 that they would consider to be considered criteria
13 letter.

14 So my question was if Ptemp is actually
15 something they have to comply with. That's different
16 than if it's considered something that has to be
17 considered, and so that's why --

18 MS. TRIGIANI: Which is it, Bob?

19 MR. BOGGS: It's generally considered an
20 ARAR because that's what's going to define future --
21 potentially reasonable future land use; i.e. whether it
22 would be residential or not.

23 Now, if they aren't going to meet those
24 unrestricted use levels, that's where we require them to
25 have a land use covenant, and that's the -- one of the

1 things that Doug brought up, is that it's not well
2 spelled out in here yet how they would manage those deed
3 restrictions and land use covenants over time.

4 There's actually a process for that where
5 they actually have to develop an implementation plan.
6 It's kind of like the remedial design. They actually
7 have to come up with a plan on how they're going to
8 manage these things over time.

9 So it doesn't have to sit in somebody's
10 memory.

11 So if they aren't going to meet those
12 things that are ARARs, they would have to develop a land
13 use covenant, and that's what would actually be required
14 for landfill E if they're not going to clean it up for
15 clean closure, yeah, you can't put a day care center in
16 there, et cetera, et cetera, and if they're going to cap
17 it, you have to maintain the cap, check it every so
18 often, et cetera.

19 So there are a lot of requirements such
20 that one of our comments is going to be that their cost
21 of 30,000 for maintaining these things is probably a
22 little low, but again, that's not going to be a deciding
23 factor for our agency. It's just going to be a comment
24 on the report.

25 MR. ANDERSON: I'm still not sure that I

1 heard an answer.

2 MR. BOGGS: Okay.

3 MR. ANDERSON: It seems to me the issue
4 is: Is it reasonable to say that clean closure is not
5 possible?

6 MR. BOGGS: I don't think they said that
7 clean closure's not possible. I think they said that
8 it's fifteen million dollars.

9 Kind of what my question would have hinged
10 on whether it would be 2.8 million lower than that, and
11 then they also went through a listing analysis on that
12 to say well, clean closure could be twenty million.

13 They're not saying it's not possible.
14 They're saying it's not twenty million dollars.

15 MR. ANDERSON: They rejected it because
16 it did not meet ARARs.

17 MR. BOGGS: That's -- well, I don't get
18 that they said that they rejected it.

19 MR. ANDERSON: From what I understood.

20 FACILITATOR KERN: There was the
21 implication that that alternative was -- at least in the
22 original wording was not compliant with ARARs.

23 MR. ANDERSON: I never understood the
24 distinction between two wordings, but --

25 MR. BOGGS: That's just the alternative,

1 digging it up and not backfilling it in with --

2 MR. ANDERSON: Correct.

3 MR. BOGGS: So they're saying the ARAR
4 would drive them to have to fill it in so that they
5 could create a ballfield.

6 MR. ANDERSON: Yeah.

7 MR. BOGGS: And that difference in cost
8 between leaving it as a valley that's -- that's clean-
9 closed and backfilling it, that difference is twenty
10 million.

11 MR. ANDERSON: I'm not saying it is a
12 cost issue, but that isn't exactly the question.

13 MR. BOGGS: It's clean-closed with the
14 baseball field. They excavate the whole thing, fill it
15 in and put the baseball field there. It's still clean-
16 closed.

17 MR. ANDERSON: Whatever. The option of
18 digging it out and restoring it to its natural state, my
19 understanding, is that they rejected it because it did
20 not comply with -- with ARARs.

21 MR. BOGGS: Right. And that particular
22 ARAR was Ptemp that required a ballfield. So they're
23 saying that the clean closure alternative also requires
24 them to backfill in that valley, kind of like if people
25 were digging up contamination as a hole where there were

1 leaking underground tanks, they typically fill in those
2 holes. They don't leave big holes unless they've got
3 something else planned for that area.

4 They typically would fill in that hole,
5 and that's driven by a safety issue here, filling in the
6 ravines driven by Ptemp.

7 It's -- per our legal department, it's not
8 our concern whether they feel required to fill that
9 ravine in or not. It doesn't affect our ability to
10 protect human health and the environment. It's
11 protected either way.

12 MR. ULLENSVANG: If you look at the
13 document, there was a threshold criteria for protection
14 of human health and ARAR compliance. If it failed
15 those, you would not have to continue on in the
16 evaluation.

17 If you look in the document, you'll see
18 that they did continue the evaluation and that they did
19 go through the remaining criteria.

20 MR. ANDERSON: I guess I misunderstood
21 that. I thought they did draw the conclusion.

22 MR. ULLENSVANG: They did not. The cost
23 estimate was developed, because if they failed the
24 threshold criteria, they would not have developed the
25 cost.

1 In this case, it is the remaining five
2 criteria with the last two, community acceptance being
3 somewhat vague pending those reviews.

4 I think that the last -- the meeting where
5 Craig presented, the wording was somewhat confusing and
6 I think it -- I think you really need to go in and look
7 at how it's worded in the document and see what they
8 were trying to do and then make your analysis.

9 MR. ANDERSON: Okay.

10 MR. BERMAN: But from the point of view
11 of the -- when you read it, you get the feeling that you
12 couldn't walk away with just the excavation and without
13 backfilling and that's the implication of the document,
14 and the point that -- that bothered me when I read it is
15 why should that backfill to make the ballfields possible
16 necessarily come from -- from the remediation funds?

17 Because you would have satisfied human
18 health and safety by just the excavation and leaving it
19 in a natural state.

20 And so I think the core issue for -- for
21 me, at least, is -- is resolving a component of the cost
22 to make it a ballfield and -- you know, and I like the
23 idea of the ballfield personally, but I don't think it
24 should actually come from the -- from the remediation
25 cost, and that's the part that's -- that's bothersome is

1 somehow it's packed in there so that the overall cost of
2 that has got the backfill in it, which is one of the
3 things that drives that number up and -- and, you
4 know -- that's the point that somehow I would like to
5 get thrashed out a little bit and have those costs
6 separated.

7 I think it was actually in the document.
8 I can't remember how much the backfill costs.

9 MR. ULLENSVANG: Sam, it is separatable
10 because you can look at the alternative with the no
11 backfill in site restoration 2, a natural habitat and
12 compare that to one with the clean closure and backfill
13 and construction and the backfilling, and the difference
14 between those two costs is mostly related to the
15 ballfield.

16 MR. BERMAN: Right.

17 MR. ULLENSVANG: There's some subtraction
18 because of the vegetation that they put in in the first
19 alternative, and those elements are relatively small and
20 can be pretty well cycled out.

21 MS. TRIGIANI: But is that specified,
22 Brian, in the Ptemp, that separation? Because --

23 MR. BOGGS: Ptemp specifies the
24 ballfield. Ptemp doesn't specify remediation.

25 MR. BERMAN: And that's a couple million

1 dollars involved in that.

2 MR. BOGGS: 2.8.

3 MR. BERMAN: Yeah, and -- you know, so
4 the fifteen million or so might actually be twelve
5 million, you know, and -- and -- and to me -- I mean,
6 somehow -- I mean, that's the core of the discussion
7 there is who -- who's going to supply -- why does that
8 extra approximately three million have to come from
9 remediation?

10 MR. BOGGS: It may not, and that's one of
11 those things that typically if it were a hole that
12 somebody was digging, they would typically include
13 filling that hole back in.

14 In this case, it's a ravine that would be
15 essentially in its natural state. We're not necessarily
16 in that same situation that you would have a hole that
17 you can't use, but they're remarking that that Ptemp
18 requires them to do that, but that's -- like I said, my
19 agency, our legal department is opting to bow out of it
20 at this point saying that "it's not our money. We don't
21 decide how they spend their money," and if these
22 threshold criteria that Brian had mentioned are met,
23 that's where our criteria primarily lie.

24 That probably in discussions with Craig,
25 you know, how that money's allocated might be

1 appropriate.

2 To let you know on one of my -- our
3 comments, though, is that twelve million that's
4 estimated for excavation, our agency, we think that
5 that's low. We think that's underestimated, and if you
6 look at the risk analysis that's presented, I think
7 we're closing to what the risk analysis says based on
8 our evaluation.

9 So we're thinking it's probably closer to
10 eighteen million dollars without any backfill.

11 FACILITATOR KERN: You know, I wasn't
12 going to talk about landfill E tonight, but it's come up
13 and since there's been a judgment made about the cost,
14 one thing that I was going to bring up at a future
15 meeting was that there was an attempt made during the
16 EKI document to suggest that the lower part of the fill
17 was not very contaminated.

18 I wonder if many of you remember that out
19 of the document, that the -- and the reason that that
20 argument was made was because after years of rejecting
21 the model that the groundwater was not coming up and,
22 you know, hitting the fill, we finally showed that it
23 was and the EKI document showed that there were areas
24 where the fill was being impacted by groundwater coming
25 up from below.

1 Well -- so in response to that, EKI
2 suggested that the lower third of this fill was not
3 heavily contaminated.

4 Well -- I mean, if it's not heavily
5 contaminated, it's not going to cost eighteen million
6 because the whole -- on one hand, here's the consultant
7 saying there's a portion of this that's not heavily
8 contaminated, and on the other hand, they're saying that
9 it is, and it could cost twenty million.

10 It's like they're getting it both ways,
11 and I -- I just -- I see so much resistance around this
12 site and so -- you know, so many ways of arguing it,
13 that they're now finally contradicting each other, you
14 know, themselves.

15 I -- I would like for us as much as we can
16 to go back to looking at what's the best cleanup for the
17 site, what makes the most sense and to try to understand
18 with this very expensive -- potentially expensive,
19 whether it's cap it in place -- that's like eight
20 million versus twelve -- and have the discussions around
21 those issues rather than the ballfield thing.

22 I think our strength would be -- best put
23 forward is to really look -- go back to the data and try
24 to figure out, given the hydrology, given the slope, the
25 foundation potential failing underneath the landfill,

1 all those -- the maximum credible earthquake and this
2 issue of the ballfield has always -- whatever the site
3 is going to be, ballfield or -- you know, that's what
4 we're being told it's going to be. You're getting a
5 ballfield.

6 Well, we need to really focus on, well, is
7 that ballfield going to sit right on the ground? Maybe
8 it's going to be excavated. Maybe it doesn't have to be
9 backfilled.

10 That's what we've been told, that it needs
11 to be backfilled, but maybe that's not the case. Maybe
12 there can be excavation, a small amount of backfill.

13 Maybe that ballfield can fit right on the
14 bottom of that area, and in other forums, we can look at
15 whether the ballfield is the appropriate site or the
16 appropriate thing to be done there, but I think for this
17 group -- and both sides are arguing, and I think we just
18 have to come back to the basic issue, which is is that
19 the best -- what is the best cleanup for the site, no
20 matter what it's going to be?

21 Because I don't think the ballfield or a
22 natural restoration really matters that much at this
23 site for what we're going to do.

24 I mean -- so --

25 MS. TRIGIANI: You're saying the ultimate

1 use does not matter? What we've got to focus on --

2 FACILITATOR KERN: Well, I think the
3 ultimate -- the area has been classified -- I think it's
4 residential --

5 MR. ANDERSON: Yeah, it is.

6 FACILITATOR KERN: -- because there are
7 buildings right next to it. So the cleanup has to be
8 suitable for residential use.

9 MR. ULLENSVANG: If you look in the
10 document, the minimum numbers are not different for
11 different alternatives. The same cleanup level for each
12 of the alternatives.

13 FACILITATOR KERN: So we have to come
14 back to the basic principle is when we're gone a hundred
15 years from now, was the right thing done at the site?
16 Did we leave all the waste in place? Which I'm not
17 going to advocate for.

18 Was some really smart decision done where
19 we didn't put a lot of money at risk? We came up with
20 some creative solution, maybe some hybrid thing, where
21 did we decide to excavate it all because that was the
22 smart thing to do and we have the data to support doing.

23 And that's what I'm going to advocate for.
24 If we go -- we'll just get wrapped around the pole so
25 many times if we keep coming back to this ballfield

1 thing at least within this group.

2 Sorry. I appreciate that, Bob. I mean, I
3 just think we're going to have to get away from the
4 ballfield here. I think it's confusing the issue for us
5 and our strength is going to be recommending to the
6 Trust in a very strong way strictly on the merits of
7 what's the best remediation for the site, and we'll have
8 to let the chips fall where they will on that.

9 So maybe at the next committee meeting, we
10 can -- we can attack that again for a certain amount of
11 time.

12 Anything else, Bob?

13 MR. BOGGS: I just was going to say we do
14 have a meeting for Baker Beach 1 and 2. Well, this will
15 play to both. The structural engineer doesn't foresee
16 problems at landfill E; i.e., engineering sloughing, et
17 cetera.

18 He did have some big concerns with 1 and
19 2. That's why we are they're revising that
20 considerably.

21 Also for Baker Beach 1, this kind of came
22 up out of some discussions for Yosemite. My
23 supervisor's actually considering getting a group of
24 licensed hazardous waste hauling donkeys that he could
25 use there at Baker Beach 1. They're thinking of using

1 them at both the same High Sierra Camp to haul the waste
2 pile out of there.

3 MS. TRIGIANI: He means donkey animals?
4 That's not a slang for --

5 MR. BOGGS: This is more of a joke.
6 We're not seriously getting a mule to haul it. It is
7 something to consider.

8 MS. BLUM: Like goats in the Oakland
9 Hills. Donkeys and llamas and goats.

10 MR. BOGGS: That's about it. We're
11 moving forward with review of the RAP. We're going to
12 have a meeting at the end of the month to resolve some
13 comments with the RAP and the initial study and we'll
14 probably early next month start to get the initial study
15 to our CEQA process, and that's about it.

16 FACILITATOR KERN: Any questions for Bob?
17 Thanks.

18 Any new business?

19 I know, Jan, you brought up those reports.
20 I don't think there's anything.

21 Action items, there's a bunch of stuff
22 here. Still going to go after the FOIA. There was the
23 Baker Beach 1 road issue stuff we're going to kind of
24 follow on to see whether that gets done in February or
25 track it wherever it goes.

1 For agenda items, Landfill 8 and 10
2 alternatives in March at the committee meeting.

3 We have the financial report in the March
4 committee meeting. The February committee meeting,
5 we've got the project statement for Mountain Lake, and
6 those are some of the things that I had.

7 We're going to get a report on 207/231, a
8 cap presentation coming up pretty soon, I guess.

9 MR. FORD: Yeah. I don't think we picked
10 a date for that. So I need to sort of find out when --
11 when would be a sensible time. So we'll do that and
12 come back with a discussion.

13 FACILITATOR KERN: There's been
14 considerable discussion around this financial reporting,
15 so at our last committee meeting, for those of you that
16 weren't there, Dave recommended that he's going through
17 a process of commenting on the reporting and that that's
18 going to be done over this next month, and be ready to
19 be discussed by March at the committee meeting.

20 MR. SUTTER: A lot of it hinges on the
21 document we've been discussing.

22 FACILITATOR KERN: Right. Okay.

23 MR. SUTTER: I'll have a better -- a
24 better idea as to timeline at the next committee
25 meeting.

1 FACILITATOR KERN: Okay.

2 MR. SUTTER: I won't have it at the next
3 committee meeting, but a better idea of a timeline.

4 FACILITATOR KERN: Another action item
5 that I would ask you to look at is this document and
6 read through it, see if you're going to feel like you're
7 going to want to sign on to it and I'll send it out via
8 e-mail.

9 Any other things before we close tonight?
10 Yes.

11 MS. PASSERO: I'm just wondering at the
12 next committee meeting, if we'd be able to talk about
13 subcommittees. I thought we talked about it a few
14 months ago.

15 FACILITATOR KERN: Very good.

16 Anything else?

17 Then I thank you for coming out tonight,
18 appreciate your participation, and without objection,
19 the meeting adjourned.

20 (The meeting adjourned at 9:54 PM).

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PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, MARCH 8, 2005

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR

License No. 5527

ATTENDEES

RAB Members:
Doug Kern, Facilitator
Mark Youngkin
Brian Ullensvang
Peter O'Hara
Craig Cooper
Jim Ponton
Sara Segal
Gloria Gee
Sam Berman
Jan Monaghan
Julian Hulgren
Michelle Passero
Jan Blum
Mary Trigiani
Tracy Wright
Jerry Anderson
David Sutter
Edward Callanan
Bob Boggs
Julie Cheever
Karen Cleek
Steve DiStefano
Bob Boggs

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on March 8, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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AGENDA

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5	3) Announcements and Old Business:	None
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1 FACILITATOR KERN: Welcome, everyone to
2 tonight's meeting of the Presidio Restoration --
3 Presidio Restoration Advisory Board for March 2005. I'd
4 like to welcome everyone tonight from the Presidio
5 Trust, contractors, National Park Service, regulatory
6 community, community RAB members and any members of the
7 public that are here, welcome tonight.

8 Any -- I think there are a few agenda
9 items that I'd like to add. We've got some -- probably
10 some announcements around our RAB member Joel Herman.

11 I'd like to talk a little bit about that
12 and make sure that we have everyone that's going to be
13 here tonight is here.

14 So I might postpone that until after our
15 working group discussions. We usually have everybody
16 here by around 7:30.

17 We have some working group things and
18 along the way I try to work out something with Craig,
19 but tonight there will be a little bit of a change in
20 how we do the agenda. The technology didn't quite seem
21 to work out.

22 MR. COOPER: Okay.

23 FACILITATOR KERN: But we'll manage.
24 We'll model it for the future.

25 Are there any other changes or additions

1 to tonight's agenda?

2 All right. Are there any announcements?

3 Old business?

4 Let's go on to our planning committee
5 report.

6 MR. YOUNGKIN: Thank you, Doug.

7 The planning committee met on February
8 24th, our usual fourth Tuesday meeting. We kicked off
9 the meeting with a discussion of Mountain Lake and we
10 talked about the Tee grant and the discussion revolved
11 around forming a working group to sort of explore other
12 avenues of funding sources.

13 Michelle brought up some ideas for funding
14 sources from the state level, so we might even talk
15 about that subject tonight, I think, right? The working
16 groups.

17 FACILITATOR KERN: We'll talk about the
18 working groups.

19 MR. YOUNGKIN: And then we moved on to
20 the mustard gas issue. The Army has issued a letter
21 dated February 24th -- whoops. Dated February 14th,
22 2005.

23 They responded to the archive search
24 report they did. They did like a preliminary risk
25 assessment of the archive search report. They've come

1 up with a three-page table of sites and recommended
2 actions.

3 They have three potential mustard gas
4 sites they're recommending further action on, and they
5 have a lot of sites marked as no further action.

6 So we talked about renewing their no
7 further action sites and seeing if we agree with those
8 and commenting on their letter and table.

9 And we moved on to RAB 3 comment letter.
10 We had a pretty long discussion of that, and the results
11 are the copy of the latest revised comment letter that
12 everybody has a copy of now.

13 And our next meeting will be March 22nd.
14 I hope to see all you there.

15 Thank you.

16 MR. BERMAN: Could I add just one thing
17 about the Army report?

18 I think we also thought that the pages
19 might have been part of a larger report, and Craig was
20 going to check into that to see whether there's really a
21 report that we can get a hold of, and so maybe he would
22 comment on that.

23 MR. COOPER: Yeah. I did check into it.
24 We can talk about it now or just slide my monthly update
25 and we can talk about it then, as well. Later?

1 FACILITATOR KERN: Any other questions
2 for Mark? Peter.

3 MR. O'HARA: Mark, if I could jump to the
4 issue of funding. I don't know whether this is the
5 appropriate time to talk about the -- the grant
6 proposals for Mountain Lake.

7 What's the -- what is the -- the funding
8 objective in terms of dollars?

9 MR. YOUNGKIN: It would be the cleanup of
10 the sediment in the lake.

11 MR. O'HARA: The quantity of dollars.

12 MR. YOUNGKIN: I believe three million is
13 the ballpark figure we're talking about.

14 MR. COOPER: Three to four million.

15 MR. YOUNGKIN: Three to four million
16 dollars.

17 MR. COOPER: But yeah. In the ballpark
18 of that.

19 MR. O'HARA: Okay. Thank you.

20 MR. BERMAN: But the Tee grant is much
21 smaller than that.

22 MR. COOPER: The Tee grant is not for the
23 sediment cleanup. Just for storm water issues, yeah.

24 FACILITATOR KERN: Very good. Thanks,
25 Mark.

1 Working group discussion. What is this
2 item? In the past, we've utilized working groups to
3 good effect, and it seems that we're coming up with a
4 variety of decision documents tracking a lot of
5 different issues these days.

6 Some of them would fall under sort of an
7 administrative category such as the Freedom of
8 Information Act request that's out there waiting to be
9 responded to by the Department of the Interior, the cost
10 tracking, a number of those kinds of things, Mountain
11 Lake, specific sites, and so we've been talking around a
12 little bit about forming some working groups to kind of
13 track those issues.

14 And so I wanted to begin to identify at
15 least two working groups that I'm going to propose and
16 see if anyone will actually sign up.

17 One is Mountain Lake. We've had a long
18 process with Mountain Lake, and Michelle has done a huge
19 amount of work in getting that going, and then we've
20 generated our -- our resolution here at the RAB, and
21 there's a lot of interesting things developing in
22 Mountain Lake and a lot of opportunities in how we might
23 help out the remediation department with making sure
24 that this site gets funded.

25 And so Michelle's identified and passed

1 word to Craig a number of possible bills to look at, and
2 it seems that the RAB can also do additional homework
3 and nudging in this process.

4 So Mountain Lake would be a good candidate
5 to have two or three people working on it, tracking it,
6 following up.

7 The other one that I'd like to propose
8 that we begin to get going would be what I would call an
9 administrative working group.

10 That would work on the cost tracking, look
11 at the format of things coming out. I know Dave's been
12 really interested. I'm hoping he'll participate in this
13 working group. The Freedom of Information Act request,
14 things of that nature would all fall in that working
15 group.

16 I would hope that the -- the structure of
17 these be pretty informal, that people would meet and
18 discuss and then bring things to the RAB committee
19 meetings where we discuss proposals and then bring them
20 forward to the -- the full working RAB meetings for any
21 kind of decision-making or recommendations that might
22 come out of it.

23 The principal idea of these is just to
24 have some people really tracking these issues and paying
25 more attention to them.

1 So those would be two to get the process
2 started and see how they work. We know they work pretty
3 well as far as looking at all the sites we've done in
4 the past, but this is a little bit different.

5 We have a pretty focused group from
6 Mountain Lake, because it seems like there's just a lot
7 of potential there for it. But the administrative one
8 is another area that it's just a good catch area to
9 track.

10 So that's how I would start the proposal,
11 and if anybody has any comments at this point or would
12 like to say, "I would like to join one of these groups,"
13 this would be a good time to say something.

14 Jan.

15 MS. BLUM: I would like to ask you a
16 question. I think we have other working groups in
17 effect and maybe we could renew those and see who else
18 is available.

19 FACILITATOR KERN: We have had other
20 working groups that were organized by watersheds. The
21 Tennessee Hollow watershed and all the sites that fit in
22 there. The Fort scott, the coastal bluffs and Lobos
23 Creek.

24 So all the sites in the Presidio fit
25 within those, and those worked to good effect for the

1 process of feasibility study.

2 But now it seems to me that as we go off
3 into the different remediation action planning
4 documents, the -- the sites follow out of these working
5 groups. They get spread around into all the working
6 groups.

7 So it doesn't seem to me that organization
8 quite fits with what's coming, the different decision
9 documents.

10 MS. BLUM: Where does membership and
11 communications or whatever fall into this working group?

12 FACILITATOR KERN: Well, we have had a
13 selection committee in the past --

14 MS. BLUM: Oh, good.

15 FACILITATOR KERN: -- that Jan has kind
16 of headed up, Jan Monaghan, and just as attrition comes
17 along, that group kind of reforms and people get
18 together and get together with the trust staff and get a
19 plan together to send out notices and all of that,
20 review all the applications and present a slate to the
21 RAB for selection.

22 So that's kind of a standing group, but it
23 doesn't meet all the time, and so we have a need. So
24 these things kind of get formed and then as needed, on
25 an as needed basis.

1 I don't know if that answers --

2 MS. BLUM: Well, I think my working group
3 discussion that you're talking about, the kind of
4 technical evaluation of the RAPs and following through
5 with other -- with more of the hard work that we do
6 rather than all the committees.

7 FACILITATOR KERN: Yeah. I think you'll
8 also see with a proposal about the agenda coming up that
9 we're going to try out perhaps a new way of tracking the
10 sites, and I'll speak to this in a little bit, but it
11 seems that from meeting to meeting, we'll go -- proceed
12 through with Craig's report on a variety -- on a variety
13 of sites, and depending on the evening, we may or may
14 not have a set of prepared questions to respond to
15 Craig's report. We're just listening to it and
16 responding to it as we can.

17 So what I tried to work out with Craig
18 with respect to tracking individual sites tonight would
19 be our own sort of Power Point slide for a particular
20 site that may be on the agenda with questions that will
21 come up that we have and that we might submit those to
22 Craig say a week in advance of the meeting.

23 He can prepare his presentation as he
24 usually does around some of these questions, and then we
25 would have the slide that we could throw up on the

1 screen and the discussion could at least center around
2 some of our questions.

3 So trying to get ahead of the curve a
4 little bit on the questions, and then we could actually
5 put some of the responses in a slide of some kind with
6 the date and any action items, and as that particular
7 item comes up again -- that site, for example -- we
8 could pull up the slide, see where we were.

9 It could have been two months ago, six
10 months ago. This is where the RAB was. This is the
11 kind of questions we were asking and it would refresh
12 everybody's memory.

13 It might even have a slide in there
14 showing location, because I think there's so many sites
15 that it just becomes a little bit of a blur unless we're
16 working with them all the time.

17 So it seems if we can get a little bit
18 more ahead of the curve with working groups and then
19 this agenda shift where we pose questions ahead of time
20 to Craig about a particular site, a site that he's going
21 to want to report on, anyway, we'll have a discussion
22 and record some of our thoughts.

23 That could be a way to respond to the
24 RAPs, and if there becomes a particular site within
25 those that requires additional attention, we could form

1 a working group around that to really get into the
2 technical details.

3 It seems like Mountain Lake is ripe for a
4 working group. The -- I know Dave's been working a lot
5 on the financial cost tracking system. There's a good
6 amount of work for a working group there.

7 I could see eventually working groups
8 maybe for the landfill E site and any other site that
9 comes up that seems -- we just have to really dig into
10 this, but I thought we'd start with -- with a couple,
11 see how they work, and then also this agenda change.

12 MR. CHEE: Can I make a quick
13 announcement?

14 My name is Tung Chee, by the way. I will
15 be taking some pictures on behalf of the Presidio Center
16 because Doug is actually selected by the Presidio Center
17 as one of the community heroes for 2005, so I'm here to
18 show Doug, his work in progress and -- if everybody's
19 okay with that idea.

20 All right.

21 (Applause).

22 FACILITATOR KERN: Thank you.

23 Dave.

24 MR. SUTTER: Yeah. Regarding the cost
25 reporting. As you mentioned, I've been continuing to

1 work on that, and I'd like to --

2 MS. GEE: Can you speak up?

3 MR. SUTTER: I'd like to ask anybody else
4 who's interested to jump in. In particular, I'd like to
5 request your assistance, Doug, as we've discussed, and
6 I've spoken with Craig and it seems like what would be
7 useful at this point is for the RAB working group,
8 myself and hopefully you and anybody else who's
9 interested to sit down with Craig and Alan in a working
10 session to go over the cost reporting systems as
11 developed to date and to just check -- check up, follow
12 the progress of it, provide input to discuss with them
13 if it's -- if it's meeting the criteria that we agreed
14 upon and how to -- and how to improve it, et cetera.

15 So that's my suggestion at this point, and
16 of course I would welcome anybody who'd want to -- who
17 would want to participate along with me and yourself, if
18 you can do so in developing this -- this working session
19 process with Craig and Alan.

20 I think it would be very helpful rather
21 than doing a full RAB review and -- and of course the
22 idea would be at specific milestone points, the group
23 would report back to the overall RAB as to where the
24 process is at and solicit RAB comments and review and
25 input, as well.

1 FACILITATOR KERN: Yeah. I agree with
2 that, Dave, and I probably would be part of all these
3 working groups just to help and to facilitate.

4 So I'll definitely be working with you on
5 that, and I would encourage any of you that are
6 interested to, you know, either talk to me after or send
7 us an e-mail and we'll -- you know, we'll form this
8 group.

9 And with respect to Mountain Lake, I think
10 there are a large number of opportunities. We just
11 don't know how things are going to work out in the
12 future, but there may be some public strategy that the
13 RAB may want to do down the road to assist the trust in
14 their discussions with Caltrans about receiving funding.

15 And it doesn't -- I'm not necessarily
16 saying the strategy would be confrontational with
17 Caltrans, but if there would be a way of attaching funds
18 on certain appropriation bills such as Michelle's
19 identified and helping the trust with those kind of
20 strategies, I think it would be very constructive and
21 we're looking to restore that resource.

22 So that -- the voice is doing something
23 today.

24 That particular work, though, takes some
25 focused energy, and we really need, you know, a couple,

1 three people at least to share that load on Mountain
2 Lake.

3 So I'd encourage you to jump in on that,
4 as well.

5 Any other thoughts or questions about this
6 idea?

7 So I won't -- I'm not going to ask you
8 publicly to volunteer, but I -- I might give you a phone
9 call, to those of you that have expressed interest in
10 the past about particular subjects to see if you'd be
11 interested in participating, and if not this round,
12 maybe a working group down the road.

13 All right. So without any further adieu,
14 I think we probably have most of our members here. I
15 think it's appropriate to spend a few minutes talking
16 about Joel.

17 For those of you that have not heard, Joel
18 Herman did pass away, and I think I would read a note
19 that we got from his wife, and then we might have an
20 opportunity to discuss a little bit about what the RAB
21 could do.

22 "Hello, everyone. I'm Joel Herman's wife,
23 Polly Rose. I'm not sure if you know Joel has been very
24 ill with gastric cancer and has thus been inactive for
25 some months. He died Thursday, March 3rd peacefully and

1 at home.

2 "In the time we moved to San Francisco in
3 1997, the Presidio's been of great interest to him. Our
4 family would like to channel memorial gifts to some
5 aspect of the restoration preservation work going on at
6 the Presidio.

7 "Could you give me some guidance on what
8 areas are open for donations, what specific needs are
9 and who I should discuss this with?

10 And I think she's already received some
11 responses. She's -- I think Craig has sent her a
12 message suggesting that she contact the Golden Gate
13 National Parks Conservancy, and have there been any
14 other suggestions at this point? Jerry.

15 MR. ANDERSON: Well, it seems like -- to
16 me like it would be appropriate to do something rather
17 than just support the ongoing program.

18 The one that kind of fits in with that is
19 there had been talk about at some point when enough is
20 known about the problem to develop a memorial at the --
21 at the cemetery by the Public Health Service Hospital,
22 and I assume any significant expense on the memorial
23 will be outside of the restoration budget and they might
24 be able to use outside funds.

25 FACILITATOR KERN: Thank you. Jan.

1 MS. BLUM: I also received the memo from
2 Mrs. Herman, and while we have directed her to the
3 conservancy, I think it would be appropriate to call
4 Mrs. Herman directly rather than have -- since she
5 started with us -- and I'd be happy to volunteer -- to
6 see if she's already reached this person.

7 I mean, I felt like we need to put that
8 person in touch with her rather than her have to phone
9 around.

10 FACILITATOR KERN: Mm-hmm.

11 MS. BLUM: So I'm wondering if we should
12 make a stronger effort to follow up with Mrs. Herman and
13 find out if she has contacted the right person and if
14 she needs help in the process, maybe other questions she
15 would like to ask. Is she satisfied with the answers
16 she got. How is that sitting with her sensibility of
17 what she has in mind, which I'm sure she has something
18 in mind. So I think that would be a good thing to do.

19 Sort of an interpreter with the
20 conservancy who may just see it as another check writing
21 event, and I just want to be sure that we do everything
22 we can to help her get her wishes.

23 MR. COOPER: I did send an e-mail to
24 Audrey Yee at the parks conservancy with the point of
25 contact for people to make donations. So Audrey does

1 know that -- you know, the circumstances of this if
2 Mrs. Herman does call about -- she at least knows the
3 story about why she's calling and kind of the context of
4 Joel a little bit.

5 But I hesitated to call her just because,
6 you know, it's a sad time and an e-mail is just kind of
7 a way for people to kind of take action that -- you
8 know, she's processing a lot of things and thinking
9 about the parks conservancy might be fairly low on her
10 list right now.

11 That's why I hesitate in calling someone
12 at least at this point in time.

13 MR. HULTGREN: If we have a -- if we
14 haven't done so already, I think the RAB should send a
15 letter of sympathy. Probably the trust could do the
16 same thing.

17 MS. CHEEVER: Well, I brought a card
18 tonight that we could send if people would like to sign
19 it with a couple of lines, or do you picture a more
20 official type of thing?

21 MR. HULTGREN: Well, I would still
22 suggest a letter.

23 MS. PASSERO: Maybe both, because a
24 card's like a personal --

25 MS. CHEEVER: The card is a picture of

1 Hetch Hetchy Canyon.

2 MR. HULTGREN: It's more individual, but
3 I think the RAB should go on record as extending
4 sympathy.

5 MS. TRIGIANI: I agree.

6 MS. CHEEVER: To do both or --

7 MS. TRIGIANI: Both.

8 MS. CHEEVER: If the card is okay with
9 people, I'll pass it around. Mark can sign it first.

10 MS. WRIGHT: Thanks, Julie.

11 MS. PASSERO: I'm just wondering. I
12 didn't know Joel, but in his discussion in the RAB -- if
13 there's something that can be done that sort of ties to
14 the RAB, as well.

15 Maybe there's multiple things, you know,
16 and I think what Jerry was describing is a good idea,
17 but if there's something in the discussions of the RAB
18 meeting where he highlighted certain points of interest,
19 maybe we'd be able to tie something in with his
20 discussion, whatever he's mentioned that's important to
21 him.

22 I think maybe his wife can give some sort
23 of feedback like that.

24 MS. BLUM: That's right.

25 MS. CLEEK: I'd just want to do

1 something. I don't think you do want to delay in
2 getting in touch with her. This is the period where
3 people would like to ask her, and we'd like to do
4 something in memory of Joel.

5 Where would you like us to send something?
6 Because it's only been a very few days and she's already
7 asking these questions, and you might actually be
8 helping and facilitating her if you can help her get an
9 answer to that one question, at least.

10 MR. COOPER: My e-mail did do that.

11 MS. CLEEK: But that's assuming that she
12 wants to use the Golden Gate Conservancy, and I just
13 think that, you know, maybe she would like to talk with
14 you since you volunteered to do it.

15 MS. BLUM: I just feel like we have to
16 follow up and be an intermediary, because as you say, I
17 may be very low on her list of things to do, and because
18 we work closely with all the remediation sites, we do
19 have inside information on what may be important and
20 maybe we can help the conservancy look at it a different
21 way rather than just a check to goes into the
22 restoration projects as a whole.

23 MR. COOPER: Maybe meet with Audrey first
24 to see what potential projects are out there, and then
25 we'll have a recommend -- options for her to consider,

1 but a brochure, you know, that we could send her.

2 Is there some kind of brochure that the
3 parks conservancy --

4 MR. ULLENSVANG: I think it's better just
5 to talk and see what -- anyway, talk with the
6 conservancy and see what options there are.

7 It's certainly not the first time someone
8 wanted to direct memorial gifts and give a contribution.
9 See how it works and someone get back to her.

10 MR. COOPER: We can call her and then
11 have some specific recommendations. The e-mail tells
12 her we'll make a phone call. We'll call back with
13 specific ideas.

14 FACILITATOR KERN: Yes, Julie.

15 MS. CHEEVER: We're actual colleagues, so
16 I hereby would like to move that we delegate Jan as
17 representative of the RAB to use her wonderful people
18 skills and call Mrs. Herman and say the right thing to
19 her and do as you said, act as an interpreter.

20 Jan, you also sent an e-mail to one or two
21 people with another idea that I thought was nice.

22 MS. BLUM: Well, it occurs to me this is
23 a perfectly wonderful opportunity to kick off the
24 daylighting of the first tennessee Hollow daylight
25 effort and maybe we can do something around fill site 6A

1 as a starting place and perhaps it will probably be next
2 year.

3 I think we're past the planting season
4 now, so it would be next year, and maybe the RAB will go
5 out and plant on behalf of Joel Herman, and we could
6 invite the widow and her family to come out at a time
7 that would be appropriate to her.

8 MR. FREY: No. There's going to be maybe
9 a third landscaped area and two-thirds -- and the plants
10 will go in as soon as possible after excavation with
11 irrigation.

12 MS. BLUM: That would be a really stellar
13 event. Because it will be the first highlighting of
14 Tennessee Hollow. I think I would like that. Maybe
15 that will be something special for her.

16 FACILITATOR KERN: I also support Julie's
17 suggestion.

18 Would there be any objection to having Jan
19 proceed as she's indicated?

20 MR. ANDERSON: So moved.

21 FACILITATOR KERN: Great.

22 MR. BERMAN: Can I ask a question? Was
23 Joel involved with the conservancy at all or was his
24 only involvement with the Presidio in any formal fashion
25 just with the RAB?

1 FACILITATOR KERN: I'm only aware of his
2 role with the RAB. That's all I know, but I don't know
3 that he wasn't.

4 MR. BERMAN: So, you know, I would
5 suggest to Jan if it's appropriate to find out a little
6 bit more about his relationship with the Presidio and --
7 and if it was only -- if it's specifically only with the
8 RAB, I would just wondering whether the conservancy is
9 really the right -- the right organization and that we
10 should maybe put on our thinking caps and figure out,
11 you know, something which is a little more personal from
12 his -- from his involvement if it is the RAB only.

13 FACILITATOR KERN: Yes, Mark.

14 MR. YOUNGKIN: If it's something
15 associated with landfill 8, the marine cemetery, they
16 can take donations and it might be more appropriate to
17 go through Michael Boland, who's in charge of land
18 review for the trust.

19 MS. PASSERO: I don't think I seconded
20 what Jerry said, but I'll do that.

21 FACILITATOR KERN: It's been moved and
22 seconded that we have Jan be our liaison to Miss Herman
23 and that she take care of all these questions on our
24 behalf.

25 Any discussion? All in favor, say aye.

1 FACILITATOR KERN: Opposed?

2 Motion carries. Thank you, Jan.

3 All right. So thank you for -- for that
4 moment, and we certainly want to move ahead on our
5 meetings.

6 Knowing that about Joel, he didn't have a
7 lot of comments, but when he did, it was right on the
8 money and really cut through.

9 So I think we're ready to move on to item
10 5 and building 1349, and part of what I was trying to
11 get going with Craig on building 1349 was to add into
12 the presentation some questions that came from us, and
13 since none of you knew that this was kind of really
14 coming, I offered some initial questions and I'm hoping
15 this will seed future questioning asking ahead of future
16 agendas, but here are the questions that I had for Craig
17 that I don't think he actually received yet via e-mail.

18 Never got it?

19 MR. COOPER: No.

20 FACILITATOR KERN: Okay. Where is
21 building 1349? That's going to like probably always be
22 on the list. Where in the heck is this place? And
23 why -- at least in this case, why would building 1349 be
24 called a building since it wasn't a building? What has
25 been accomplished there previously? What are the

1 difficulties with groundwater at this site? That's a
2 specific question that I happen to know that there's
3 some issues.

4 How will the site be addressed? What are
5 the remedies that we're considering? So there's just
6 some broad questions that we would then pass along.

7 I'm sure he would incorporate most of
8 those in his presentation. He could bring those up and
9 attach them to a slide with a date and any action items
10 and then be able to recall that slide at a future time.

11 So Craig, over to you.

12 MR. COOPER: Okay. I think that's a
13 great idea, by the way, asking questions in advance,
14 especially if I sent out a draft list of ideas for
15 upcoming RAB meetings, both committee and RAB, potential
16 topics, and so maybe a couple weeks before a RAB
17 meeting, Mark and I could talk and say, "Okay. Lock it
18 in on these agenda items," because some agenda items
19 might flow and then you guys can send your questions in
20 advance. Great idea.

21 Okay. Tonight. Building 1349, and with
22 me tonight is someone from my staff, Jennifer Yata. I
23 think the last time she was here, she was probably
24 called Jennifer Coate, and so I know that you all are
25 probably tired of listening to me all the time, so one

1 of my new strategies is to bring people from my staff
2 and have them come and present various topics in the
3 Presidio remediation program.

4 I think last year Ryan Seilbach came and
5 talked about a project, and he'll be coming back again
6 later on this year.

7 So Jen is going to talk about the building
8 1349 area corrective action plan, and a little bit of
9 background about Jen, if you don't know her.

10 She's a geologist and she's actually been
11 working on remediation issues at the Presidio since
12 1992, and she started with the trust in December of
13 1999, and she has seen this particular project, the 1349
14 area, and working with Jim and Brian through the site
15 investigation, where to look for the contamination,
16 analyzing the data report that came in and then
17 developing the corrective action plan.

18 So I'll let Jen take it from here. I
19 guess I should --

20 MS. YATA: Good evening. I think I
21 should probably start with saying that building 1349
22 does not exist. That's about as good as it gets.

23 There are handouts on the table as you
24 came in with this presentation. If you didn't get one,
25 it might be easier to following along with something.

1 Okay. Building 1349 draft CAP is hot of
2 the presses. We just submitted it for stakeholder
3 review. We just got it out, and one or two copies has
4 been distributed to the RAB, and I have copies on CD
5 available this evening to pick up as you leave if you
6 would like one.

7 Okay. Moving right along, I believe some
8 of the slides will answer some of the questions Doug
9 had, and if not, we can follow up as we finish.

10 Presentation topics. Basically what is
11 the Corrective Action Plan? Where is building 1349, the
12 history of it, what was used there and what our approach
13 will be for remediation of this site.

14 Okay. What is CAP? Just to recap what's
15 going on, we have other CAPs on the Presidio, so you'll
16 be hearing this term, corrective action plan, and this
17 is the petroleum programs regulatory decision document.

18 The Regional Water Quality Control Board
19 is the regulatory agency for CAPs, and here at the
20 Presidio, the CAPs are required by task six of our
21 regional board members.

22 Okay. I know you probably can't see the
23 map on the screen in detail. Don't worry. It's okay.

24 As I'm sure you're aware, this is the
25 general outline of the Presidio. This 1349 site is

1 located on the western part of the Presidio and it's
2 bounded by streets Washington, Harrison and Coby.

3 It's at the divide of the marina and
4 coastal bluffs groundwater basin. It's a topographic
5 high point, and yes, Doug is correct. There are very
6 interesting groundwater issues for the site.

7 Building 1349 was a former fuel oil tank.
8 It was a 100,000 gallon fuel oil above-ground storage
9 tank known as an AST, and that was demolished, and like
10 I said no longer exists.

11 It is now a wooded area in the
12 intersection of Harrison, Coby and Lincoln.

13 MR. COOPER: Everybody clear on the
14 location? Across the street from former fill site 5.
15 Okay.

16 MS. YATA: Okay. Past site uses.
17 Building 1349. The original tank at the site was built
18 in 1906 and held fuel oil. Barges came and docked at
19 the pier, pumped fuel oil up and then it went through a
20 gravity feed system in the Presidio to various houses in
21 this tank.

22 This tank was replaced in the '50s with a
23 100,000 gallon tank and the associated fuel oil piping
24 under it to transport the fuel oil.

25 When they stopped using fuel oil as a

1 heating source in the Presidio, they converted the tank
2 usage to diesel storage, and there was a diesel
3 dispensing structure associated with the site which you
4 will see on maps in the document review, so that the
5 primary contaminants of the area are petroleum, fuel oil
6 mainly.

7 MR. ANDERSON: Jen?

8 MS. YATA: Yes.

9 MR. ANDERSON: What pier was this?

10 MS. YATA: There is a name for it.

11 MR. ULLENSVANG: Torpedo Wharf.

12 MS. YATA: Past site actions. I think
13 this was one of Doug's questions earlier. This is a
14 very brief bullet list.

15 There have been numerous site
16 investigations of this area to assess soil
17 contamination, potential groundwater contamination.
18 Starting -- the site was discovered in 1992.

19 Somebody smelled diesel, and the first
20 investigations were in 1993 and 1994 performed by
21 Montgomery Watson, a contractor for the Army.

22 Site investigations. In 1995, building
23 1349, which is the above-ground storage tank, was
24 removed, and there was some soil removal at the same
25 time to get gross contamination that was observed at the

1 time of tank removal.

2 I think it was approximately a thousand
3 cubic yards or so, but it's in the document.

4 1996, a Phase III additional site
5 investigation was performed by Montgomery Watson.
6 Again, more soil and groundwater sampling and site
7 sterilization.

8 1996 and 1997, the FDS removal, which is
9 the fuel distribution system that was associated with
10 the tank was removed Presidio-wide, including the 1349
11 area by IT Corporation, a contractor for the company.

12 In 1998, Montgomery Watson performed an
13 additional FDS investigation. There's a section of
14 pipeline on the west side of the site that they weren't
15 sure where it existed, and that was the activity for
16 that, and then 2002/2003, the trust enters the picture
17 and we did Phase I and Phase II site investigations to
18 collect data so we could prepare this CAP to address the
19 site contamination and get fresh data.

20 Site contaminants. The most recent site
21 investigation performed by the trust backs up basically
22 what was observed before.

23 The soil contaminants at the site are
24 primarily total petroleum hydrocarbons as diesel and
25 fuel oil, and PAHs, component of the oil.

1 Groundwater contaminants are primarily TPH
2 diesel, gasoline, benzene, PAHs, pesticides and arsenic.

3 Okay. I know you can't see this. This is
4 a figure from the report that you have an opportunity to
5 review. This is figure 5.1. I wanted to put this up to
6 show in broad strokes where our activities will be.

7 We have a soil excavation plan. I'm
8 jumping a lot of steps here, so bear with me. If you
9 need clarification, don't hesitate to ask.

10 MR. COOPER: This is where the soil
11 contamination has been.

12 MS. YATA: Yeah. This is the areas in
13 the CAP we will be addressing, cleaning up.

14 The green blob in the center, this is the
15 perimeter is one soil unit which will be excavated, two
16 small soil excavations which were related to the
17 pipelines to the tank.

18 This small soil excavation, which we
19 believe is related to the diesel dispensing structure,
20 and this blue area at the bottom, which is part of a
21 telecommunications corridor.

22 During the 1995 work, the interaction by
23 IT from the previous slide, they were unable to excavate
24 this soil due to the sensitivity of the fiber optic or
25 telecommunications line that went through.

1 This line has recently been changed and is
2 now a new fiber optic line for the trust so we have more
3 flexibility to either relocate the line out of our way
4 to excavate the material or -- I mean, it's not
5 sensitive. We can dig under it.

6 MR. BERMAN: Could you point out --
7 excuse me.

8 MR. COOPER: I was just going to get
9 folks oriented to the site.

10 Could you point where Washington Boulevard
11 is?

12 MS. YATA: Washington Boulevard is here.

13 MR. COOPER: Fill site 5 is across the
14 street?

15 MS. YATA: Fill site 5 is down here.

16 MR. BERMAN: Where is the groundwater
17 sampling done? Can you show it on that diagram?

18 MS. YATA: There are various wells
19 associated with the site. There are wells around the
20 perimeter.

21 The one with the most contamination is
22 in -- immediately adjacent to the telecommunications
23 area, but there are wells completely around the site as
24 well as downgradient to monitor the fill site 5, and
25 even further downslope on Lincoln Boulevard and

1 continuing down the slope now associated with our
2 landfill remediation site Baker Beach 3.

3 MR. BERMAN: So this -- these wells have
4 got to be pretty deep; right? Because this is up fairly
5 high --

6 MS. YATA: Yeah.

7 MR. BERMAN: -- to start out with.

8 MS. YATA: In the report, we have
9 geologic cross-sections as well as depth to groundwater
10 at the various areas.

11 Like I said earlier, this is a topographic
12 high with some water flowing this way to the marina base
13 and some water flowing this way to the coastal bluffs.

14 MR. ULLENSVANG: The water's about 25 or
15 thirty feet deep.

16 MS. YATA: On average.

17 MR. ANDERSON: How deep is the
18 contamination?

19 MS. YATA: Primarily shallow. The green
20 areas are shallow contamination. I'll have to look at
21 the details. Maybe five to eight feet. Less than ten
22 feet. Deeper contamination here in this small area.

23 Brian, do you remember what it was?

24 MR. ULLENSVANG: I think the sample said
25 about fifteen feet.

1 MS. YATA: Fifteen feet for the deepest
2 contamination.

3 MR. BERMAN: So is the -- is the known
4 contamination sufficiently distant from the groundwater
5 or is there actually contact between the contamination
6 and the groundwater?

7 MS. YATA: We have seen some TPH diesel
8 in groundwater. In the report we have a pretty
9 extensive section on the hydrology and hydrogeology of
10 the area, and there's a lot of fractured flow through
11 weathered bedrock which does make characterization
12 difficult, and there are assumptions applied.

13 For the most part, I think there's not
14 much contamination, but we have seen diesel in
15 groundwater.

16 Okay. Let's see. I don't know if it's
17 more appropriate -- okay. If you can go in our mind
18 that was just up.

19 This is a summary of what you just saw.
20 The volume we're looking at is approximately 2,100
21 square feet, and -- which is equivalent to approximately
22 779 cubic yards of material.

23 The deep soil, the one area I pointed out,
24 which is approximately thirty yards of contamination,
25 and the telecommunications conduit is approximately 640

1 square feet, equaling approximately 38\0 cubic yards of
2 contaminated soil.

3 FACILITATOR KERN: And Jen, could you
4 give us a comparison of those amount of yards for like
5 Baker Beach 3, how many yards did we have?

6 MR. COOPER: A perfect question to ask.
7 Jen was the trust's construction manager for the Baker
8 Beach 3 cleanup, by the way. I should have said that in
9 her -- she was out there everyday. As Baker Beach 3 was
10 getting dug up, she was the person.

11 So what was the total volume of --

12 MS. YATA: Of course now I can't
13 remember. It was the same. 500,000.

14 MR. STRINGER: 489,000.

15 MS. YATA: From my memory, which doesn't
16 work very well, I think it's 58,000 cubic yards,
17 approximately.

18 MR. COOPER: Right. So just to
19 compare -- that's a good point, Doug. If you add up the
20 cubic yards in this contaminated soil on this project.

21 MS. YATA: It's like 1,200.

22 MR. COOPER: Baker Beach 3 was 58,000, so
23 smaller volume.

24 MS. YATA: Okay. I kind of jumped ahead.
25 I talked about how we were going to excavate and, you

1 know, what our plan was. I didn't go through the
2 process of how we evaluated different technologies or
3 how we would address areas of contamination on the site.

4 So the CAP process does work through
5 different alternatives on how to address contamination,
6 and just briefly for the soil contamination areas, the
7 alternatives are no action, excavation off-site
8 disposal, capping, which is applying some barrier
9 between surface and the contaminated zone, land use
10 controls, which limit what you can and can't do at the
11 site, and in situ treatment through various
12 technologies.

13 Our groundwater alternatives were no
14 action, groundwater monitoring, land use controls, in
15 situ treatment and excavation -- excuse me. Extraction
16 and treatment.

17 Okay. Assessment of cleanup alternatives.
18 The criteria we used to assess --

19 FACILITATOR KERN: I just wanted to jump
20 in and say did everybody know what in situ treatment --
21 what that means? Does everybody know?

22 MS. YATA: In place. Sorry.

23 Okay. When we looked at various
24 alternatives for the cleanup, the criteria we used for
25 assessing were technical effectiveness, implementability

1 and cost-effectiveness.

2 Like I said, I'm jumping a lot of steps,
3 and this is a summary of what's in the document.

4 Getting down to the dollar amount of what
5 our estimate of the various cleanup costs will be. For
6 the identified shallow soil areas, we estimate \$400,000
7 in cleanup costs. For the deep soil area, \$194,000.
8 Telecommunications corridor, \$420,000, and groundwater
9 monitoring, 575,000.

10 So now we're going to present what our
11 recommended cleanup alternative is as in the document.
12 For soil areas, our analysis indicates we believe
13 excavation and off-site disposal is the best route to
14 go.

15 There's a caveat in here about competent
16 bedrock. This would be a technical challenge at the
17 site which is slightly different than the Baker Beach
18 site as we talked about before.

19 It's easy to bring in an excavator and dig
20 up what shouldn't be there and dig up and go.

21 The 1349 site, there's weathered bedrock.
22 When you're doing excavation with conventional
23 technology, you have varying layers of resistance and it
24 may or may not be effective to remove all the
25 contamination in bedrock.

1 Groundwater monitoring will be conducted.
2 We believe that the excavation off-site disposal
3 achieves the best result and cheapest alternative for
4 this site.

5 Groundwater. Groundwater monitoring is
6 our recommended alternative. We're proposing at this
7 time two new wells.

8 MR. O'HARA: Why?

9 MS. YATA: Why for groundwater
10 monitoring?

11 MR. O'HARA: Yes.

12 MS. YATA: When you read through the
13 document, there's analysis of the different technology,
14 and based on cost, implementability, technical
15 effectiveness, we feel that groundwater monitoring is
16 protective based on what we've seen to date in
17 groundwater samples, and we feel that our excavation and
18 off-site removal and source areas for any potential
19 contaminants to groundwater, so we feel this is
20 protective.

21 MR. O'HARA: I thought you already had
22 contamination.

23 MS. YATA: We do, and we're also removing
24 the source area, the telecommunications corridor. Where
25 we have the contamination is medium adjacent to the

1 telecommunications excavation I pointed out.

2 So we feel that that will be effective to
3 address what's going on.

4 MS. TRIGIANI: Question.

5 MS. YATA: Sure.

6 MS. TRIGIANI: I'm -- just to follow up
7 on Peter's question. Protective of what? The land that
8 remains after there's been excavation?

9 MS. YATA: Protective of groundwater.

10 MS. TRIGIANI: Of groundwater. Okay.

11 MS. YATA: The potential source.

12 MS. TRIGIANI: If we're cleaning this
13 out, is the groundwater monitoring a typical step to
14 make sure that all the -- that we're making sure the
15 contaminations's been removed or there's not an ongoing
16 source of contamination or both?

17 MS. YATA: Groundwater monitoring and
18 sampling is pretty much required for all our --

19 MS. TRIGIANI: Right.

20 MS. YATA: -- remediation activities to
21 be sure that we, you know, excavated or removed or
22 remedied the contamination.

23 MS. TRIGIANI: And that's over what
24 period of time, Jennifer?

25 MS. YATA: We write in a standard time in

1 our documents, basically looking at the results, the
2 results from various corridors of sampling, look for
3 non-detects or decreasing trend of concentration, and
4 you look at the data, and if you see a problem, then you
5 modify your approach to our plan.

6 MS. TRIGIANI: Over what period of time?
7 From the time that the well monitors are installed until
8 when is the from now until when?

9 MS. YATA: It varies from site to site.
10 Is it two years of annual -- Brian, do you remember?

11 MR. ULLENSVANG: In this plan, it's two
12 years annual and three years semi-annual.

13 MS. TRIGIANI: So five years from now it
14 would be considered free depending on the levels that
15 we're reporting?

16 MR. COOPER: Right.

17 MS. YATA: Five years from now we will
18 prepare a status report which is required by Regional
19 Board order to review the data and review what we see.

20 MS. TRIGIANI: And to go back, can you
21 remember the cost of the groundwater monitoring?

22 MS. YATA: 575.

23 MS. TRIGIANI: And who does that? Is
24 that outsourced?

25 MS. YATA: The trust has a contractor and

1 that would be performed through our Presidio-wide
2 groundwater monitoring program.

3 MS. TRIGIANI: And that's competitive bid
4 or an estimate at this point?

5 MS. YATA: It was.

6 MR. ULLENSVANG: It would be an estimate.

7 MR. COOPER: Yeah.

8 MS. YATA: The 575?

9 MS. TRIGIANI: Mm-hmm.

10 MS. YATA: That's an estimate based on
11 what it costs today, our analytical cost, our labor,
12 document production.

13 FACILITATOR KERN: Jerry and then --

14 MR. ANDERSON: Is the assumption that you
15 dig away the contaminated soil with the groundwater
16 that's now contaminated will seep away and the
17 concentration will be reduced at that point or will it
18 go somewhere else?

19 MS. YATA: That's a challenging question.

20 MR. COOPER: In general.

21 MS. YATA: Natural attenuation of
22 petroleum contamination.

23 MR. ANDERSON: You mean it spreads?

24 MS. YATA: It degrades through micro
25 wheel action and --

1 MR. ANDERSON: But it hasn't over the
2 years, sufficiently, anyway.

3 MR. COOPER: The soil contamination is
4 still hovering above it. So the idea you take away the
5 contaminated soil that's hovering above it, make the
6 soil completely clean above it. Let's see what happens
7 to the groundwater after we see a clean closure to the
8 soil, kind of like a landfill.

9 MR. ULLENSVANG: The document does not
10 assume that five years from now the groundwater will be
11 clean. It does not assume that.

12 MR. ANDERSON: And the monitoring will
13 be -- the new monitoring wells will be at the place
14 where the contamination is found now; is that right?

15 MS. YATA: Correct, yeah.

16 MR. ANDERSON: But then as time goes on,
17 it won't be there. It will be somewhere else. So I'm
18 not sure what the monitoring at this location is going
19 to do.

20 MS. YATA: Like I said, it was our -- at
21 this time, our best judgment based on the hydrology at
22 the site, the fractured flow, the rate of groundwater
23 movement.

24 The groundwater monitoring program has
25 flexibility for adding analytes, adding sampling

1 locations.

2 I think I tried to make that clear in the
3 document.

4 MR. ULLENSVANG: Jerry, there's more
5 wells than just the two they're talking about.

6 MR. ANDERSON: Sure.

7 MR. ULLENSVANG: Some of them will be in
8 areas that are part of the contamination.

9 MR. ANDERSON: Really?

10 MR. ULLENSVANG: And there's a map in the
11 document that describes the wells.

12 MR. ANDERSON: One other question. You
13 spoke about benzene being there.

14 MS. YATA: (Nods head affirmatively).

15 MR. ANDERSON: I was wondering where that
16 might have come from.

17 MS. YATA: I believe most likely it's a
18 degradation from degradation of the diesel.

19 MR. ANDERSON: Oh, interesting.

20 MS. YATA: It shows benzene and analyst's
21 reports.

22 MR. ANDERSON: I see.

23 MR. ULLENSVANG: I think it probably came
24 in with petroleum. It was probably in the petroleum
25 mixture and just separated out.

1 MR. ANDERSON: By diesel and fuel oil,
2 you mean number 1 and number 2 distillates?

3 MR. ULLENSVANG: The fuel oil is Bunker C
4 and the diesel, I'm not sure what blend that would have
5 been.

6 MR. ANDERSON: Normally it's number 1 or
7 number 2.

8 MR. ULLENSVANG: It could have been both
9 over time.

10 MR. ANDERSON: I think the heavier stuff
11 would be more likely to --

12 MR. ULLENSVANG: You notice there was TPH
13 gasoline in there, too. So it may have been the
14 blending of the distillates which might have had some
15 benzene in it. But that's speculative.

16 FACILITATOR KERN: Sara and then Karen.

17 MS. SEGAL: I just had a question about
18 the telecommunications corridor. So we have this
19 \$100,000 above-ground storage tank. First it was fuel
20 in the diesel, in the '50s and then the '70s.

21 When the telecommunications corridor was a
22 stretch of -- it's not that much soil according to the
23 map with small print, but how is that -- if you're
24 talking about petroleum related contamination, does
25 the -- when was the -- I still think the

1 telecommunications sounds like something recent, so how
2 does micro-optics and things look like that? So how
3 does the petroleum contaminated cleanup touch this?

4 I mean, how does -- can you explain that a
5 little bit?

6 MR. COOPER: They put the tele-
7 communication line right into contaminated soil.

8 MS. YATA: Actually, can you go backward?
9 Is that a problem?

10 MR. COOPER: To the map?

11 MS. YATA: Yeah.

12 MS. SEGAL: If it a legitimate cleanup
13 under the program? Go ahead.

14 MS. YATA: The fuel dispensing structure
15 when 1349 was used as a diesel dispensing, the outlet
16 port was approximately here, so the trucks would drive
17 up on Washington, fill their trucks and there would be
18 leakage and spillage.

19 The telecommunications corridor is
20 backfilled with the sand or a bedding material, so when
21 contamination from leakage at this dispensing structure
22 migrated into the soil, when it hit the tele-
23 communications corridor, it would move much quicker.

24 It's not as compact. It would flow in the
25 channel and saturate more readily.

1 Does that answer your question?

2 MS. SEGAL: But is the telecommunication
3 corridor the result of Army activity?

4 MS. YATA: It was Army installed and in
5 Army use when it was installed, and I'm not sure of the
6 exact details of the history of when or what it was used
7 for.

8 MR. ULLENSVANG: Sara, the tele-
9 communications was not a source of contamination. It
10 just happened to be an area where the contamination came
11 to reside because of the nature of the soil, and then
12 because of its sensitivity at the time, the Army didn't
13 clean up underneath it.

14 MS. SEGAL: Okay. Thank you.

15 MS. CLEEK: I just have a quick question,
16 and this has to do with the well monitoring and the
17 cost.

18 So you're monitoring all the existing
19 wells plus the two new ones once annually for two years?

20 MS. YATA: The -- most likely we'll do it
21 quarterly for two years. So four times a year.

22 MR. COOPER: I thought it was semi-
23 annually for two years.

24 MR. ULLENSVANG: Quarterly for two and
25 then semi-annually.

1 MS. CLEEK: It's not like you stop for
2 two years. That's what.

3 MR. COOPER: Then it goes to semi-annual
4 and then we check in, you know, with Jim after five
5 years and take a look at, you know, are the
6 concentrations decreasing; are they staying the same;
7 are there any new risks that we need to take care of.

8 Basically we don't think the groundwater
9 is a sufficient risk for any type of active treatment
10 and technology.

11 MR. ULLENSVANG: There's a couple
12 questions. Eleven wells will go for sampling in the
13 alternative documents, and that would be the nine
14 existing wells and two new wells.

15 MS. TRIGIANI: Nine existing on this
16 site?

17 MR. ULLENSVANG: Yes. In the site and
18 general area. There's some overlap of the wells at fill
19 site 5.

20 MS. TRIGIANI: I have a question after
21 Peter's question.

22 MR. O'HARA: I --

23 MS. TRIGIANI: Since I hadn't seen the
24 report, the only thing I've seen is the \$575,000 for
25 installing the wells and five years of monitoring.

1 Now there's no guarantee that after five
2 years you're not going to have to spend another \$575,000
3 for some protracted period of time for continuing
4 monitoring.

5 MR. COOPER: That's correct.

6 MR. O'HARA: Okay. Fine. What are some
7 of the other comparative costs for -- for cleanup which
8 would ensure that the -- the contaminants are out of the
9 groundwater?

10 MS. YATA: I think at this particular
11 site, that's an especially difficult question to answer
12 giving -- given the nature of the flow and the fractures
13 at the site, and having a treatment technology is not
14 like a pump and treat system and would not be amenable
15 to this particular site based on the flow, the rate of
16 flow.

17 I don't know if I'm answering your
18 question.

19 MR. COOPER: We took a stab at estimating
20 some of the costs for those, and I'm looking at a number
21 right now.

22 MR. ULLENSVANG: The treatment
23 alternatives were not estimated for costs.

24 MR. COOPER: We thought it wasn't --
25 wouldn't work.

1 MR. BERMAN: But here --

2 MR. O'HARA: What about the in situ
3 alternative?

4 MR. ULLENSVANG: That alternative was not
5 good for evaluation. This document determined that it
6 would not be effective.

7 MR. BERMAN: Isn't it reasonable -- it's
8 reasonable -- first assumption that the contamination in
9 the groundwater is associated with the -- with the
10 contaminants in the soil, and so presumably if that's
11 removed completely, then over a period of time you
12 should see that the groundwater starts cleaning up.

13 MS. YATA: Correct.

14 MR. BERMAN: And that seems to me to be a
15 reasonable hypothesis considering the elevation of
16 the -- of the contaminants and the way it flows there.

17 So this seems to me an imminently
18 reasonable thing to do rather than propose a treatment
19 of the groundwater which may not need anything after a
20 few years after the cleanup.

21 So yes, it might be that you might have to
22 have additional costs for monitoring, but it might be
23 over maybe once every two years or something later on
24 because if there's a trend that shows that the
25 contamination in groundwater is decreasing, then this --

1 this would be a reasonable remedy.

2 MR. O'HARA: No argument. All I was
3 doing was looking at a single figure for one alternative
4 with nothing to compare it to.

5 MR. ULLENSVANG: The document has costs
6 for land use controls and no action as alternatives to
7 the monitoring wells.

8 FACILITATOR KERN: Mary.

9 MS. TRIGIANI: This is more of an admin
10 type question, so maybe this is for Dave's working
11 group.

12 When it comes to something like
13 groundwater mon -- when it comes to monitoring these
14 wells, and we're talking half a million dollars for
15 monitoring a dozen wells, eleven, something like that.

16 MR. COOPER: Mm-hmm.

17 MS. TRIGIANI: Is there any way for the
18 trust to -- does everything have to be purchased site by
19 site or is there a way to contract with someone who does
20 nothing but monitoring of wells to get some price
21 efficiency out of this? Or is this what this costs site
22 by site?

23 MS. YATA: The way our program is
24 structured now for Presidio-wide sampling, we do have a
25 contractor that comes out and it's a two-week period of

1 time typically and all the wells are sampled that need
2 to be sampled.

3 MR. COOPER: Presidio-wide.

4 MS. TRIGIANI: Presidio-wide.

5 MS. YATA: So all sites are captured at
6 the same time.

7 MS. TRIGIANI: So the fees are going to
8 one consultant?

9 MS. YATA: Yes. We have a groundwater
10 monitoring consultant, which is Treadwell & Rollo, and
11 the actual work is a subcontractor that all they do is
12 sample wells.

13 MS. TRIGIANI: So Treadwell & Rollo has
14 subcontracted out?

15 MS. YATA: For the physical work. I
16 believe we pay Treadwell & Rollo.

17 MS. YATA: We pay Treadwell, and they do
18 the groundwater monitoring wells.

19 MS. TRIGIANI: And that was a competitive
20 bid situation. Thank you.

21 MS. YATA: It was through the contract.

22 MR. COOPER: Treadwell was hired through
23 our indefinite quantity contract.

24 MS. TRIGIANI: Is that in perpetuity
25 contract?

1 MR. COOPER: No. They expire.

2 MS. TRIGIANI: How many times in a decade
3 is that evaluated, for example?

4 MR. COOPER: Like Treadwell's contract is
5 going to expire soon.

6 MS. YATA: Yeah. Very soon.

7 MR. COOPER: When they originally started
8 the remediation group, we hired Treadwell, EKI.

9 MR. ULLENSVANG: I think the groundwater
10 is a separate contract. That was a separate
11 procurement, and I believe it was a one-year -- this is
12 before Craig's time.

13 MR. COOPER: Right.

14 MR. ULLENSVANG: It was a one-year
15 contract with four option years.

16 MR. COOPER: So it wasn't done in our in
17 definite quantity contract.

18 MR. ULLENSVANG: It was groundwater.

19 MR. COOPER: Was it done competitively?

20 MR. ULLENSVANG: Yes.

21 MR. COOPER: Sorry about that.

22 MR. ULLENSVANG: The way that Treadwell
23 structured it was anticipated that you'd have a firm
24 that could write the reports, handled the data --

25 MS. TRIGIANI: Mm-hmm.

1 MR. ULLENSVANG: -- which would combine
2 with someone who was specializing in groundwater
3 monitoring, who has really nifty trucks that are just
4 designed for doing groundwater monitoring.

5 MS. TRIGIANI: Sure.

6 MR. ULLENSVANG: And they can do it
7 efficiently.

8 MR. COOPER: Just to add to that point,
9 if you notice when we're -- when the trust is not
10 satisfied with a contractor's performance, cost
11 overruns, poor quality work, we have these option years
12 and we can cut off a contractor and switch over.

13 MS. TRIGIANI: Okay.

14 MR. COOPER: There's costs associated
15 with that, as you know, we've switched some contractors
16 on some projects.

17 MS. TRIGIANI: What I'd like to get noted
18 in the record, I'd like to understand more about the
19 bidding process and whether we benchmark nationally for
20 what the costs are, or if we just benchmark regionally,
21 that kind of thing, and I'd also love to see a report
22 eventually on what contractors have secured what kind of
23 fees from the remediation projects associated with the
24 Presidio Trust.

25 MR. COOPER: Right.

1 MS. TRIGIANI: Because that's way down
2 the road after we get everything else, kind of ducks in
3 a row.

4 Thank you, Doug.

5 FACILITATOR KERN: Dave.

6 MR. SUTTER: The wells are being
7 installed by the construction contractor on this
8 project; right?

9 MS. YATA: They will be installed by a
10 specialty well drilling company that has not been
11 identified yet, but somebody that's only what they do.

12 MR. SUTTER: Right. Treadwell is just
13 monitoring these wells and they'll monitor these wells
14 after they're installed.

15 Roughly what's the installation cost for
16 these two wells?

17 MS. YATA: This is a very rough estimate.
18 I would estimate \$25,000 a piece for installation.

19 MR. O'HARA: Is that included in the 575?

20 MS. YATA: Yes, it is. Installation
21 costs are included in the \$575,000 estimate.

22 MR. ULLENSVANG: The document estimates
23 that the installation of the two wells will be the
24 overhead type of fees added on, which is running about
25 thirty percent, which is \$6,300.

1 So that would put it on the order of 9 to
2 \$10,000 for the twelve wells.

3 MR. SUTTER: Which is small change. The
4 big cost is in the monitoring.

5 MS. YATA: Right.

6 FACILITATOR KERN: Are there questions?
7 You probably have a slide or two more?

8 MS. YATA: I have a couple more slides.
9 Back to groundwater. Here we are.

10 Basically to wrap up this little
11 presentation, a summary of what we've been talking
12 about. Recommended remedy that's proposed in this
13 document and the costs associated with the recommended
14 remedy. The soil areas, the excavation, rough estimate,
15 \$655,000.

16 Groundwater monitoring, \$575,000, and the
17 total estimated cost of the recommended alternatives,
18 1.2 million dollars for this project.

19 MR. BERMAN: That money is the money
20 out -- does that include in-house staff contributions to
21 the project or not?

22 MR. COOPER: No. The trust, like labor
23 and mine, no.

24 MR. BERMAN: So the actual cost is --

25 MR. COOPER: A little bit more than that.

1 MR. BERMAN: Yeah.

2 MS. BLUM: I have a question. I'm trying
3 to relate this to page 6 where it says: "Assessment of
4 alternative costs," and those all added up to a million
5 almost six, and the recommended remedy is a million two.

6 MS. YATA: These are rounded estimates.

7 MS. BLUM: There's no mention of the
8 telecommunications corridor.

9 MS. YATA: Well, there's also a cost
10 savings. If you look at the alternatives, there's some
11 overlap, mobilization fees, site fencing fees.

12 So there is redundancy, and I put a
13 footnote on some of the tables that depending on the
14 alternatives, if it's done in conjunction with the
15 mobilization of the contractor, there will be savings.

16 The 1.2 million dollar cost is our
17 estimate based on, you know, doing the excavations at
18 the same time, one contractor mobilization. It's kind
19 of a broad strokes best guesstimate of looking at all
20 the alternatives.

21 FACILITATOR KERN: Maybe a question for
22 Bob and Jen, but I note back on page 4 under the
23 contaminants, the groundwater contaminants include
24 pesticides, which is -- is that a CERCLA contaminant or
25 is that still part of a petroleum contaminant? We

1 didn't really talk too much about pesticide
2 contamination here.

3 Is the pesticide extent big? Small?

4 MR. COOPER: Go ahead, Jen.

5 MS. YATA: I'd say the detail is in the
6 document, but a brief summary is we've seen repeatable
7 pesticide detections in one well, which is well 100,
8 which is within the telecommunications corridor soil
9 area.

10 There's been sporadic detections of other
11 wells in the area that have not been to date repeatable.

12 In the document, we've provided appendix
13 on theories, possible reasons that it may be there. We
14 do not have a theory as to why it's there.

15 Our best guess is the pesticides were
16 being cut with diesel at the dispensing center, but we
17 list a series of hypotheses.

18 MR. ANDERSON: Do they use weed and brush
19 suppression on the telecommunications corridor?

20 MS. YATA: I would not say so. It's a
21 sandy dry area where it's primarily the -- I don't want
22 to call them well drying weeds.

23 MR. ULLENSVANG: The telecommunications
24 corridor is all dry surface.

25 MR. ANDERSON: No, but they may want to

1 keep it clear so if they had to dig into it or
2 something.

3 MR. ULLENSVANG: I've heard no or seen no
4 evidence that they were.

5 FACILITATOR KERN: Jim.

6 MR. PONTON: I think I'd like to make
7 five comments. Good presentation.

8 MS. YATA: Thanks.

9 MR. PONTON: I haven't had a chance to
10 review the report. It just came out last week, but I
11 think what Jen just described is generally when we have
12 a petroleum site or a site where there's been a release,
13 you identify the extent of the release and identify
14 groundwater flow direction and monitor downgradient of
15 that -- downflow of that release, but she's mentioned
16 that this this is kind of an apex of a hill where water
17 flows radially where it requires more wells than you
18 normally see. It adds complexities and cost.

19 One thing that just came up is the water
20 work process. There's thousands of leaky tanks in
21 California, gas stations.

22 This is not unique, and our policy is that
23 you remove the source. You remove the tank. You remove
24 contaminated soil and you remove any free product.

25 Oil floats on water. That's recovered to

1 the extent practicable, and then if you know the nature
2 and extent of the release, you monitor groundwater, and
3 we allow for monitoring natural attenuation; we allow
4 for degradation of petroleum contaminants.

5 Part of that is -- part of it does get
6 diluted through infiltration of new freshwater, but
7 petroleum compounds, they do degrade.

8 Microbes tend to like them, particularly
9 benzene, because it's a food source for them, and
10 Livermore did this study years ago that demonstrated
11 that benzene releases from tanks never exceed more than
12 thirty feet from the tank.

13 MTBE on the other hand runs forever. The
14 plume is 10,000 feet long. We don't have that here, and
15 what happens with petroleum degradation is you have
16 lighter ends of the gasolines and diesels.

17 Once you get to the foul oils, they -- so
18 they don't tend to migrate and we allow for that. We
19 allow credit for that, in a sense, because there's only
20 so much you can do.

21 We were really aggressive about the
22 source. No more contamination, no more food for the
23 plume for monitoring it.

24 The other thing that came up is the Teider
25 review, five-year review for these remedies to make sure

1 that they're working. If it's demonstrated in two years
2 that that berm is still -- they're working, we can issue
3 a no further action and ratchet down the process.

4 It's really for the case worker that will have
5 the project, not necessarily for the trust; that we made
6 some decisions along the way, look back and see how
7 they're performing so that we don't spend too much more
8 time and money chasing something that may not be
9 working, but basically what you talk about is is
10 acceptable.

11 MS. YATA: Very good. To wrap up here,
12 for RAB participation, as I mentioned earlier, the draft
13 document, Doug and/or Mark has a copy. I prepared two
14 copies. I'm not sure actually how many were delivered.
15 There is a hard copy in our 34 library. There's another
16 copy in our building 1750 library, and I have with me
17 this evening some copies on compact disk and it's also
18 on the trust Website.

19 The address is listed on the board here,
20 and I encourage your comments and --

21 MR. COOPER: We need to talk to Jim
22 in about -- thirty days or 45 days.

23 MS. YATA: And then last slide.

24 So to close out, you know, the process for
25 the 1349 site, what will happen after you review the

1 document, provide comments, we will prepare a final
2 corrective action plan which will be submitted to the
3 Regional Board.

4 Appendix A of the CAP will include a
5 written response to your comments and other comments
6 that we receive.

7 Upon approval by the Regional Water
8 Quality Control Board, we will prepare an implementation
9 plan which will actually go out in the field and plan to
10 do the work, and our schedule right now is for the
11 implementation of the remedy to begin before February
12 26th -- February 28th, 2006.

13 So that's it.

14 I hope the presentation is kind of -- got
15 you thinking about things to look at when you're reading
16 the document.

17 If you have questions, look in the
18 document, see if you find the answers. If not, e-mail
19 me if you have questions. I'll try to help you out.

20 MR. SUTTER: Yeah. It looks like the
21 review and approval process is going to take about a
22 year from now before you actually begin construction
23 work.

24 Why so long? Why a whole year?

25 MS. YATA: Well, that's an estimate.

1 If -- if we're done with our document process prior to
2 February 28th, then we can go in the field. We do not
3 have to wait until February 28th. It's that -- that's
4 our goal on our schedule to be actively doing the
5 remediation by that date.

6 MR. COOPER: No later than. So we have
7 to finalize the CAP and then we have to write this
8 implementation work plan and get -- first Jim's approval
9 on the final CAP and then Jim's approval on the
10 implementation work plan and then hire the remediation
11 contractor and then go out and break ground in the soil
12 cleanup before February 28th.

13 So that's not just sitting around and
14 waiting.

15 MR. SUTTER: I know you're not sitting
16 around, but it just seems to me that it's just a small
17 project, it is very straightforward. A whole year to go
18 for review and final documents --

19 MR. COOPER: Yeah.

20 MR. SUTTER: -- seems to me an extended
21 period of time.

22 MR. COOPER: If we're ready, we got the
23 implementation work plan approved in October. We're out
24 there in October this year.

25 MR. SUTTER: We just want it on schedule.

1 FACILITATOR KERN: Any other questions
2 for Jen?

3 MS. CLEEK: I think this might actually
4 be a question for Craig or combined.

5 When I look on -- and you mentioned this.
6 On page 6 on the assessment of alternatives cost, it
7 says: "Include capital costs and present worth of
8 annual A, O and M," so O and M -- sorry, I seem to be
9 beating a horse here, the groundwater monitoring.

10 MR. ULLENSVANG: Yes.

11 MS. CLEEK: So that's like discounted
12 back; correct?

13 MR. COOPER: Correct.

14 MS. CLEEK: Are all projects done that
15 way?

16 MR. COOPER: When you have costs that are
17 going to go on for -- recurring costs for five years or
18 ten years --

19 MS. CLEEK: I guess what I'm really
20 grappling with is it surprised me that the groundwater
21 monitoring was that expensive. I guess it didn't
22 register before.

23 This is not actually the cash that's going
24 to be paid out over the course of the years. It's the
25 discounted present value.

1 MR. COOPER: Correct. That's right.

2 MS. CLEEK: Net present value.

3 MS. COOPER: Mm-hmm. Groundwater
4 monitoring, you know, we -- I would love to have a
5 working group about it, you know.

6 And last year the trust sat down with
7 Brian and Jim and we worked out ways to try to make our
8 groundwater monitoring program really efficient, more
9 streamlined knowing that it's expensive.

10 As you know, we're spending about a
11 million dollars a year plus or minus, maybe about 1.2
12 million dollars a year on our Presidio-wide groundwater
13 monitoring program, and Jim told me last month that he'd
14 like to have the same exercise this year, analyze --
15 what are -- why are we monitoring -- what are we
16 monitoring for just to make sure that we're really
17 thinking through our monitoring program and just to make
18 sure that it's targeted and studying the things that we
19 really need the study and not analyzing for the things
20 that we don't need to.

21 In other words, we're looking -- we're
22 trying to really knowing that it's expensive.

23 MR. BERMAN: Could I ask just a question
24 on that?

25 Presumably some groundwater monitoring

1 might occur after 2014 or something like that.

2 Are all these --

3 MR. COOPER: Excellent question.

4 MR. BERMAN: So if you do -- of course
5 present value, that stuff is not very much, but
6 nevertheless all that's -- you do your calculation and
7 it's all chargeable as far as Zurich is concerned.

8 MR. COOPER: Yes. It's an allowable
9 expenditure, mm-hmm, but what I need to make sure that,
10 you know, when the construction's complete, that I hold
11 back a little remediation trust fund to cover these O
12 and M costs, to cover the groundwater monitoring, you
13 know, that's necessary in the long run and any other,
14 you know, long-term costs associated with the
15 remediation program.

16 MR. BERMAN: But that's in your present
17 value calculation; right? I mean, as if you're holding
18 back and getting interest on that. That's part of that
19 calculation presumably.

20 I mean, I --

21 MR. COOPER: Right, right.

22 MR. BERMAN: I mean, just to make sure
23 that -- so you're already assuming in that calculation
24 that it's -- it's not a separate pot that's in a
25 separate account. It's already assumed in a calculation

1 that you're doing that.

2 MR. COOPER: Correct, right. We don't
3 let another project raid -- just because a project's
4 budget holds steady for a while.

5 You have a 1.3 million dollar project
6 budget and spend 700,000 and that \$600,000's sitting
7 there.

8 It's sitting there for a reason because it
9 has long-term O and M costs that we're going to be
10 chewing into over the next five, ten, fifteen years.

11 We want to make sure that some other
12 project doesn't say, "Hey, look, you know, there's some
13 money sitting in 1349 project budget," so there you have
14 it.

15 FACILITATOR KERN: Well, I'd like to
16 thank Jen for her presentation. Thank you.

17 MR. COOPER: Thanks, Jen.

18 MS. YATA: Thank you for your time.

19 FACILITATOR KERN: I'd like to give our
20 recorder a break and give us a break, and I would really
21 like to request that those of you who are thinking you
22 might sneak out at the break that you wait and so we can
23 vote on this RAP 3 letter if it's ready to be voted on.
24 It's been out there for a while.

25 I think if there are any comments, I'd

1 really like to hear them so we could give this letter to
2 Craig and move that process. So let's take about ten
3 minutes and we'll be back.

4 (Recess taken).

5 FACILITATOR KERN: I wanted to bring us
6 back to something that we've been commenting on for a
7 while now, actually several years this group of sites
8 under the remediation action plan number 3.

9 We commented on the various times with the
10 Army, the trust during the F/S process and now we're at
11 the -- sort of the final go.

12 I'd like to thank all of you that have
13 provided in to this letter, and particularly Mark for
14 his great additions over the last couple of weeks to the
15 letter.

16 Hopefully everybody's had a chance to
17 review this via e-mail, and if you haven't, I hope you
18 have a moment now to -- to read it.

19 For those of you that have read it, are
20 there any comments, typos -- yes, Sam.

21 MR. BERMAN: I just -- when I read this
22 new addition, and especially the Lobos Creek, the things
23 that were added -- and I thank Mark for his -- his --
24 his really hard work to dig out some of that stuff -- I
25 was -- I went back and looked at the -- the RAP 3 CD

1 that I had and I tried to find something in there about
2 the 22nd Avenue and 23rd Avenue discussion that's in
3 this letter here, and I couldn't find it in there.

4 Is that just me or is there some --
5 something in there? It seems to me this was totally
6 new, and it seemed to be really significant.

7 So is it in there and I just missed it?

8 FACILITATOR KERN: We can have Mark talk
9 about it a little bit if you'd like, but I would say
10 that the Lobos Creek has had a number of different looks
11 from different perspectives, and this is -- I think Mark
12 has added information that may be relevant from perhaps
13 a different source.

14 MR. BERMAN: For example, the fact that
15 the City engineers concurred that there is sewage mixing
16 in that they haven't done anything about, that's not
17 stated at all in the RAP.

18 You know, when I read that, I was
19 really -- really surprised because that seems to be a
20 rather significant concern and something which I guess I
21 was a little shocked when I read that and I just
22 can't -- I can't understand how something like that
23 is -- is continuously happening and the trust isn't
24 barking at San Francisco to get that taken care of.

25 FACILITATOR KERN: I guess I would -- I

1 guess my response to that is there is a number of
2 different programs that I've looked at for Lobos Creek,
3 and this particular issue about a sewage overflow pipe
4 that has access to the creek through other -- other
5 avenues has been known to the trust and the Park Service
6 and the City for many years.

7 We've had people out there in the creek
8 looking at it, photos, the whole bit, and this is
9 another attempt to get people to recognize that there --
10 we're trying to bring to bear all the known knowledge on
11 the site so there's some recognition that it's a
12 valuable resource and there are potential threats to it
13 from variety of sources and that, you know, what is the
14 impact to the creek from the source. It's trying to
15 bring that information to bear on it.

16 MR. BERMAN: But there is -- I couldn't
17 find any discussion of that issue in -- in the RAP 3,
18 and that I felt was -- was -- I was uncomfortable about
19 that because that seemed to be a fairly big issue, and
20 although I've not known about all this other work that's
21 been done on, that's something that you would expect the
22 trust and the contractors to have done some thinking
23 about that, and the absence of that seems to be the
24 point of being shocking.

25 FACILITATOR KERN: Okay.

1 MR. SUTTER: Is this sewer outpour an
2 active pipe or do we know, abandoned?

3 FACILITATOR KERN: There are two sewer
4 crossings at Lobos Creek. One is at 17th Avenue. One
5 is at 22nd, and the one at 22nd crosses the creek above
6 the creek. It's a large pipe encased in concrete cut.

7 MR. SUTTER: Yeah.

8 FACILITATOR KERN: And if you follow that
9 up the hill, there's a pipe that comes down to that
10 structure there at Lake Street and there seems to be a
11 connection to that pipe, an overflow pipe of some kind
12 that goes right into the creek.

13 MR. SUTTER: So the outflow that goes
14 from the sanitary sewer, a combined sewer that goes into
15 the creek?

16 FACILITATOR KERN: There is -- it's a
17 combined system.

18 MR. SUTTER: It goes directly into the
19 creek?

20 MR. HULTGREN: How do we know that's what
21 it is? Is it a guess or have you looked at the City
22 diagrams or something and found out that's what it is?

23 I'd be very surprised and I think Dave
24 would, too, that there is that kind of -- of an outfall
25 existing, because the whole concept of the sewer program

1 that took place fifteen, twenty years ago was to route
2 all of that to around near the zoo, and I'm just amazed
3 if there's something that was overlooked.

4 MR. BERMAN: The letter says that the
5 City engineers acknowledge this, so somewhere there has
6 to be a document that's actually -- something is written
7 that the City engineers acknowledge that this overflow
8 actually exists.

9 MR. YOUNGKIN: They don't put anything in
10 writing.

11 MS. CLEEK: Is this the same general area
12 where those houses slid down?

13 FACILITATOR KERN: It's a couple of
14 blocks away. It's not --

15 MS. CLEEK: Because that was the result
16 of old sewer projects that caused the hillside -- done
17 by the City, I assume, to slide a while back.

18 So there are things going on there that
19 have never really been corrected.

20 FACILITATOR KERN: Julian.

21 MR. HULTGREN: If it is an outfall from
22 the combined sewer, I would think the Regional Water
23 Quality Control Board, if not aware of it, should be
24 made aware of it and damn well better start looking at
25 it, because that's one of the problems that the City was

1 dealing with and was under the gun for by the board
2 again fifteen, twenty, thirty -- 25 years ago. So I
3 don't know.

4 Jim, is this something that you could look
5 into and find out whether there's any --

6 MR. PONTON: I'll see what I can do.

7 MS. CHEEVER: What is a scour hole?

8 FACILITATOR KERN: If you have the -- one
9 of the joys that we've had of going and making up the
10 creek and doing sampling and testing along it and
11 observing various inputs, we found this several years
12 ago, this particular site, a lot of concrete that was
13 broken up and eroding that you could walk up to and
14 climb up between the weeds, the bushes, poison oak and
15 hear the water running in the pipe if you get your head
16 in there.

17 Not too many of us would venture our heads
18 into sewer pipes, but --

19 MS. CHEEVER: But what does scour hole
20 mean?

21 FACILITATOR KERN: Coming down from that
22 pipe, the rushing water that would come out of that
23 would dipping out a hole as it entered the creek. So
24 there's basically a hole, kind of a pit that forms a
25 pool where this channel comes into the creek. It's

1 deeper.

2 I was out there a couple weeks ago and
3 there were little fish, you know, you could see them in
4 the bottom of the pool, so -- it's a deep area.

5 MS. TRIGIANI: And it was a sewer pool
6 and there were little fish in it?

7 FACILITATOR KERN: This is -- it's not
8 something that Mark intends to suggest that there's
9 sewage constantly running into this -- into the creek.

10 MS. TRIGIANI: Okay.

11 FACILITATOR KERN: Everybody in the world
12 would know that.

13 MR. BERMAN: It's on overflow.

14 FACILITATOR KERN: It's an overflow. If
15 there's a major storm event, there's a backup from the
16 pipe, it goes to a certain level and then comes back
17 into the creek, and in those events, it's so heavy that
18 it can scour out the sandy bottom of the creek in that
19 location.

20 MS. PASSERO: Well first, thanks for
21 doing this, great. I had a minor suggestion, and this
22 seems like you already thought about this, but I'm just
23 wondering with the order of Lobos Creek is just such a
24 hot topic and seems to be up there as such a high
25 priority, should it go first or is there intentional

1 reasons of putting it after?

2 MR. BERMAN: It's called the final upper
3 cut.

4 FACILITATOR KERN: Well, this is, as we
5 talked about in our meetings, a very important site to
6 all of us. It's a water supply. It's a natural
7 resource area, and, you know, we made a choice to begin
8 including all of this information in the document, and
9 yeah, it could come -- could be pushed up first.

10 There is also a thought well, let's make
11 sure we read all the rest of it and don't lose those
12 sites in favor of just having this discussion.

13 So other thoughts or comments? Julie.

14 MS. CHEEVER: First of all, thank you for
15 doing the letter and I agree with it. Just a little
16 thought.

17 Are we going to vote on whether to do it?
18 Because it seems community members, if we unanimously
19 approve it, then we can say that, but otherwise I think
20 we should see how many community members, individual
21 members.

22 FACILITATOR KERN: Mm-hmm. I think in a
23 lot of our letters, we have done that at the bottom.
24 We've added a line that said: "Voted on a certain date
25 and the result of the vote, eighteen of eighteen

1 community members supported this" and --

2 MS. CHEEVER: Yeah.

3 FACILITATOR KERN: -- we included it, and
4 if it wasn't unanimous, "we've taken the vote."

5 MS. CHEEVER: I would like to advocate
6 doing that again.

7 FACILITATOR KERN: Craig.

8 MR. COOPER: I noticed that except for
9 Lobos Creek for -- I just scanned the letter. This is a
10 version that has more detail in it, which is great, than
11 previous versions, so it gives me more to work off of,
12 but a lot of them are just things that I need to give
13 you more information on.

14 FACILITATOR KERN: Right.

15 MR. COOPER: So I recommend that we could
16 form -- if you wish this letter today or tomorrow,
17 that's fine with me. We can sit down and form a working
18 group and start hammering out -- I can start doing my
19 homework on responding to the questions you bring up,
20 because your letter says you don't concur and then I
21 started to scan some of the comments. We might concur
22 if we get this information.

23 So I want to work with you right away to
24 get that information in front of you. If it's missing
25 from the RAP, let's get that -- get a -- keep those

1 conversations going as soon as possible. That's fine.

2 And then Lobos Creek could be almost like
3 a separate -- it's a whole different world as far as
4 this comment letter goes, and --

5 FACILITATOR KERN: I think that's right.
6 I think we've forwarded the rest of what we had into
7 the -- in the document and it could be broken out. It
8 could have its own discussion.

9 MR. COOPER: Yeah.

10 FACILITATOR KERN: I think your comment
11 is totally fair that we say we don't concur, but some of
12 the sites are kind of --

13 MR. COOPER: Yeah.

14 FACILITATOR KERN: -- with information
15 that we might be ready to agree.

16 MR. COOPER: Right. I want to stay
17 engaged. This letter now -- it actually gives me some
18 things. So let me pass this letter today. I'll start
19 doing the homework, start getting some thoughts
20 together, getting some information together and getting
21 contact about forming a little working group or we can
22 talk about it at the RAB committee meeting. Either
23 forum is fine with me.

24 MR. BOGGS: Along those lines, one of the
25 things that our agency is looking at is for some of

1 these sites that are proposed no further action actually
2 trying to set up a mechanism where we can request
3 particularly confirmation sampling as a setup for
4 approving this as a remedy; i.e. sites, and we should
5 probably have further characterization rather than
6 holding it up, taking it out of the process, getting
7 additional data, crossing the T's or dotting the I's,
8 that we might be able to do that and still have the
9 remedy in place for this document.

10 So that's getting carried up to our legal
11 department. They're not sure how they would set that
12 up. They think that one way they can set it up is
13 necessarily --

14 FACILITATOR KERN: Well, we would -- we
15 would invite you, then, to, you know, be part of the
16 discussion so we can understand what sites that that
17 might apply to.

18 Other comments or discussion on where the
19 letter is? Do you think it's ready or does it need
20 more -- do you feel like you want to submit it as is or
21 are there any -- do you care stylistically as a group as
22 to whether the Lobos Creek's at the beginning of end?
23 Gloria.

24 MS. GEE: Just hearing some of the other
25 comments about positioning and also Craig point that

1 Lobos Creek item is really a very different in substance
2 than the other comments, and I -- I was reading it. I
3 thought well, it's really heavily directed towards Lobos
4 Creek and I was just wondering if -- just off the top of
5 my head, if you were to keep only with that first
6 general comment of Lobos Creek in the main letter and
7 then say that, you know, given -- allude to the more
8 specific items, action items concerning -- concerned
9 with Lobos Creek in instead of refer to the addendum
10 that really sets out all of the items, and that would
11 mean that the -- that addendum or whatever you call
12 that, attachment would have like almost two pages really
13 honing in on the specific concerns of Lobos Creek, and
14 that could be a separate piece for Craig to address, you
15 know.

16 Just a thought in terms of balancing so
17 that the first -- the main part of the letter would be
18 only -- what is it? Like three and a half pages dealing
19 with that first generalized comment under Lobos Creek
20 and then saying that for the specific issues that, you
21 know, we would like the -- the RAB would like to have
22 addressed, please refer to this attachment, whatever it
23 is and then that could be a separate piece forward for
24 consideration, response.

25 FACILITATOR KERN: Sam.

1 MR. BERMAN: This -- this is -- it seems
2 to me a lot of work has gone into this, and although I
3 like good form and excellent language and all that. I
4 think it's not as important as to get this out and --
5 because it -- and it has everything in there.

6 It's not as if this is going to be a
7 published document that's in a report. The main thing
8 is that it has all the issues and it's enough substance
9 to work on.

10 So -- and given there's so much effort
11 into this letter already, you know, I -- I personally
12 feel that unless that we have, you know, a substantial
13 objection, that the best thing to do is to move it
14 forward as fast as possible so that we can get going,
15 and that doesn't mean that I agree that you can't make
16 it stylistically much better, but I don't think there's
17 much value to it if there's any delay.

18 FACILITATOR KERN: Thank you. Jerry,
19 yes.

20 MR. ANDERSON: I move that the letter be
21 sent as it is, and again, all the suggestions seem very
22 worthwhile suggestions, but the addressees are here.
23 They know what we think about it, so --

24 FACILITATOR KERN: Okay.

25 MS. BLUM: Second.

1 FACILITATOR KERN: Is there any
2 discussion?

3 MR. O'HARA: The only change in the
4 letter I would suggest would be those that Julie had
5 suggested.

6 FACILITATOR KERN: The voting by, okay.
7 Other discussion?

8 It's been moved and seconded and there's
9 been discussion held that we submit the letter as is
10 with the addition of the voting tally at the bottom of
11 the letter.

12 All in favor, if you would raise your
13 hands, please. I'll make a count. One, two, three,
14 four, five, six, seven, eight, nine, ten, eleven,
15 twelve, thirteen, fourteen, fifteen, sixteen,

16 MR. BERMAN: Did you count yourself?

17 FACILITATOR KERN: Yeah, I did. Opposed?
18 So zero against. So the motion carries.

19 Thank you very much to all of you for your
20 hard work on this. And we'll get those changes and
21 submit it.

22 Thank you, and I think we'll take -- we
23 want to take Craig up on his offer to begin working with
24 him on this, so if there's any one of you that would
25 like to join in those specific discussions, please let

1 us know. That would be great.

2 Craig, do you have some other updates that
3 you'd like to give?

4 MR. COOPER: I have my standard monthly
5 update. It is 9:15, so I'm more than happy to cruise
6 through this. You've got the handout. I'm at your
7 pleasure.

8 FACILITATOR KERN: Let me check in with
9 people. It's 9:15. After the last couple meetings --
10 we've been going right up to 10:00 and people are
11 getting a little bit weary of that, and I want to try
12 to, you know, check in with folks tonight.

13 Part of the agenda thing that we're
14 trying -- that we'd like to do is pull out the sites in
15 detail, ask a few questions, make sure that we get into
16 some depth about a particular site, you know, with input
17 from us in advance.

18 MR. COOPER: Yeah.

19 FACILITATOR KERN: So I think we value
20 these updates. It's not to discount what you've been
21 doing on that at all. It's just to really probe down
22 deeply into some particular sites.

23 MR. COOPER: I completely agree. Last
24 year we were doing a pretty good job off and on.
25 Sometimes we'd really get deep into a site and just do

1 monthly updates. So I'm all in favor of diving in
2 deeply to the sites.

3 Monthly updates are really kind of meant
4 to keep you in the loop. There's all these other kind
5 of miscellaneous projects going on, so it's meant to
6 kind of keep you in the loop so a month or two doesn't
7 go by and you don't say, "When did that happen?" It's
8 to avoid that type of conversation.

9 So we can cruise through these quickly.
10 We can just go to sites that are on your mind.

11 They pretty much cover every -- at least
12 large remediation sites that we have or we can adjourn
13 and you guys can just read your handouts and e-mail me
14 or we can talk about it in a committee meeting or --

15 FACILITATOR KERN: I'd like to get some
16 feel from the group of where you'd like to go tonight.
17 We've accomplished a couple of big things tonight. I
18 think we can feel good about that.

19 I don't necessarily want to rush through
20 your update, you know. That doesn't give the sites what
21 they need, but if there's anything in particular that's
22 been happening that comes to mind, Baker Beach 1,
23 something like that.

24 MR. COOPER: There's a cool photograph of
25 Baker Beach 1/2 that I'd like to show Brian. It's not

1 in our handouts, but I'd like to show that one.

2 Take a look at -- okay. This is Baker
3 Beach 1 through 4. This is what it looked like forever,
4 okay, and now da-da-da. Yes. So this vegetation was
5 removed last month, and it is in preparation for some
6 more detailed investigations that we're going to be
7 doing at the Baker Beach 1/2 area, remediation site, and
8 --

9 MS. SEGAL: Would you go back to the
10 other picture?

11 MR. COOPER: We've been told that this is
12 a very heavy traffic -- this is Merchant Road. This is
13 how you get -- Golden Gate Bridge is off here in the fog
14 at this point. I don't think there's smoke or -- it
15 looked like some mist or smoke out there.

16 MR. ANDERSON: Did you get the trees down
17 before the birds started nesting?

18 MR. COOPER: We just did vegetation
19 removal in and around the battery area at this point in
20 time because that's where the focus of these -- the
21 geotechnical investigation's going to happen and the
22 cultural resource investigation is going to happen.

23 MR. ULLENSVANG: The tree removal did
24 occur before bird nesting season, and there's half a
25 dozen large mature trees in this area that were removed

1 and it occurred before March 1st.

2 MS. SEGAL: Craig, could you go back to
3 the previous? Thank you.

4 MR. COOPER: There you go. You can see
5 what trees -- the trees that have been removed, yeah.

6 MS. BLUM: On your first -- second slide,
7 there are two blue eyeballs.

8 Are those pools of water on the site you
9 just left?

10 MR. COOPER: This one gives you a good
11 idea, perspective.

12 MR. BERMAN: Those are the trout ponds,
13 Jan.

14 MS. BLUM: Trout ponds?

15 MR. HULTGREN: No. I think --

16 MR. COOPER: It looked like mud puddles.
17 It's been raining a lot, so yeah.

18 MS. BLUM: It was a little scary to see.

19 MR. COOPER: Yeah. It's water from
20 rainfall.

21 MS. CLEEK: Are they going to replant
22 that or are you going to replant that?

23 MR. COOPER: After the remediation, there
24 will be.

25 MR. ULLENSVANG: The center area will get

1 dug out. The center area to the right, including the
2 two blue dots to the right and then off the edge to the
3 left, will all get dug out.

4 MS. CLEEK: So it will be like street
5 level? You think it will be lower?

6 MR. COOPER: It's about eight feet give
7 or take a few feet of fill in that area, and if you walk
8 through this, you can actually see individual dumps or
9 truckloads of fill have been deposited there, and so
10 that area will be -- there will be a treatment
11 developed.

12 How much of it will be planting and how
13 much of it will be historic treatment still has to be
14 worked out.

15 MS. CLEEK: I guess I don't remember what
16 the cultural resources are that they're looking for
17 there.

18 Was that roads or trains?

19 MR. ULLENSVANG: There are batteries,
20 which are both the visible structures and the earthen
21 parts of the structure. Those mounds are like an
22 integral part of the battery in the way it was designed
23 to function. The land forms are part of the historic
24 resource.

25 So the road, Bowman Road, the covered way

1 is an integral part of the landscape that's there.

2 MS. CLEEK: So there is a possibility
3 that they might point those out to people or develop
4 them as an interpretive site?

5 MR. ULLENSVANG: Our folks -- there's
6 still a number of years before we're done with this
7 project, and this is the beginning of understanding what
8 the resource is, which could lead to --

9 MS. CLEEK: Could determine what you do
10 with it.

11 MR. ULLENSVANG: That's right. Some of
12 the stuff in the foreground, some of the vegetation was
13 cleared in such a way that it didn't disturb the ground
14 of the roots. So much of the vegetation is expected to
15 rebound.

16 MS. CLEEK: Okay.

17 MS. SEGAL: Craig, do you know if you got
18 any phone calls about the vegetation?

19 MR. COOPER: Yeah.

20 MR. ULLENSVANG: There were some phone
21 calls.

22 MR. COOPER: Yeah.

23 MS. SEGAL: But not a lot of negative?

24 MR. ULLENSVANG: They were all negative.

25 MR. COOPER: They were all.

1 MS. TRIGIANI: Okay. So any good ones?

2 MR. COOPER: Not more than five, Brian.
3 Not more than five.

4 MS. TRIGIANI: What's the nature of it?
5 "why are you digging stuff up?" You mean, it's a tree
6 thing?

7 MR. ULLENSVANG: The person who called me
8 actually didn't return my call when I called them back,
9 but the message -- removal of the natural habitat was
10 their message.

11 MS. TRIGIANI: A natural habitat.

12 MR. ULLENSVANG: And I presume that they
13 were talking about the vegetation.

14 MS. TRIGIANI: Okie dokie. Thanks.

15 MR. ULLENSVANG: We all -- when we were
16 out there working, we had verbal comments from
17 passersby.

18 MS. BLUM: I'll bet.

19 MS. TRIGIANI: With visuals.

20 MS. WRIGHT: Were the regular signs out,
21 the explanatory signs out for education?

22 MR. ULLENSVANG: This was totally signed.

23 MS. WRIGHT: Okay.

24 MR. ULLENSVANG: I believe there were six
25 signs in the general area where we thought people would

1 pass by the signs.

2 MS. BLUM: Did you think that the signs
3 were better at Baker Beach?

4 MR. ULLENSVANG: I think that's a very
5 good question to ask the people in the RAB.

6 MS. BLUM: I didn't hear a peep from
7 anybody. I think that's because we sent memos out. I
8 don't know.

9 MR. ULLENSVANG: We'll get negative
10 feedbacks when we have a lot of outreach or not.

11 MS. BLUM: Mm-hmm.

12 MR. ULLENSVANG: You may hear more from
13 your friends and neighbors what's going on. You'll find
14 how effective the outreach was.

15 MS. TRIGIANI: The most feedback I get
16 from people has nothing to do with remediation. It's
17 about the Lucas project. That's what seems to be on
18 people's minds more than that activity.

19 MR. ULLENSVANG: As we continue along, I
20 find it helpful to hear what you hear and what your take
21 as an informed public is on how well the outreach is
22 going.

23 MR. COOPER: I just have two slides just
24 to hit on real fast and we'll get going here. Just as a
25 quick -- oh-oh. This is one of them. For the mustard

1 agent site, and our whole -- remember the Army Corps of
2 Engineers report called the archive search report.

3 We got a letter from the Army Corps of
4 Engineers finally and I made copies and I distributed it
5 at the February RAB committee meeting as Mark said in
6 his report, and I'm going to be preparing a response
7 letter back to Mr. Handel, the Army of Corps of
8 Engineers guy with respect to our comments about his
9 letter and what's going to happen next, and I also want
10 to say an interested citizen has now called me a couple
11 times, e-mailed me.

12 I think that this fence is starting -- I'm
13 surprised people have not started to complain before,
14 and it's starting to come together, he and several
15 friends have now reached a point where they're getting
16 very irritated with the fence and I sent him an e-mail
17 back and explained kind of my version of the history of
18 what -- what got the fence up there in the first place
19 and who's responsible, who's taking responsibility,
20 which is the US Army, who the regulator is and all about
21 DTSC and gave him names and addresses and Websites and,
22 you know, to call Bruce Handel. He can call the Army
23 back office in Washington, D.C.

24 I just loaded him up with lots of
25 information that he could, you know, react with, and he

1 called Bruce Handel the next day and got some
2 information from Bruce and now he wants to call Bob.

3 And so Bob, I sent him an e-mail today
4 with your name and telephone number.

5 So I just wanted to alert you, and I also
6 told him about RAB meetings and that he could come
7 and -- as an interested party, and if we wanted to, we
8 could make it a specific agenda item and he could come
9 and ask you guys to make it an agenda item at a future
10 RAB committee meeting, and once it does get calendared,
11 we could make an invitation to have him come.

12 MR. SUTTER: I think you're exceeding
13 your outreach.

14 MR. COOPER: Yeah. I wanted to give him
15 as much information as I could, so --

16 MR. STRINGER: Can I ask you a question?
17 I thought there had been two other sites identified by
18 the Army.

19 Is that correct?

20 MR. BERMAN: Two other sites that had
21 further action.

22 MR. COOPER: That had further action.
23 There was about eighteen, twenty sites total in the
24 archive search report and about three of them, according
25 to this letter from the Army, required further

1 evaluation I think is what the term that they used, and
2 no further evaluation for the other seventeen plus or
3 minus.

4 MR. BERMAN: So did you find out whether
5 this -- the table was --

6 MR. COOPER: Yes. I found out. I called
7 Mr. -- don't look up here. I called -- at Sam's request
8 at the last February committee meeting, I called Bruce
9 Handel up and said, "I'm assuming that your letter is
10 based on some report, some risk evaluation, some risk
11 prioritization where some folks went through the very
12 thick archive search report and went through the
13 criteria" and he told me no.

14 FACILITATOR KERN: No?

15 MR. COOPER: No. I'm not too sure what
16 to make with that response, other than no.

17 MR. ANDERSON: How about the table
18 generally?

19 MR. COOPER: That's what I said. "How
20 did you put this table together? Just based on the
21 reviewer's notes?" and -- he should really -- my
22 recollection is more or less "yes, that's correct," and
23 I said, "Well, I have waited a year now. I was
24 expecting -- you got to give me something to work off of
25 here, you know. How do I feel comfortable with your --

1 the results of your evaluation?"

2 And he said, "Well, I would really love to
3 meet with you and the others, you know, Bob and Jim,
4 Brian and hear your -- what you think what we need to do
5 on the archive review, as well," and I said, "That's not
6 what the path we were going down," that the experts were
7 going to review this, come up with their recommendations
8 that were based on their evaluations and then make some
9 recommendations to us and not just -- and it's not
10 even -- the real bombshell, in my opinion, was that --
11 my understanding that the experts from Huntsville,
12 Alabama that we were all expecting to review this did
13 not.

14 They were -- they could not -- they were
15 not available for various reasons to review it, and so
16 my understanding is that Bruce had folks in his
17 Sacramento Corps of Engineers office review it, yeah.

18 So here Bob is like that's different --
19 that's a different, you know -- that's a different story
20 than what I thought our path was going down.

21 MS. TRIGIANI: Are they Army Corps of
22 Engineers Sacramento people?

23 MR. COOPER: Yeah.

24 MS. TRIGIANI: So the Huntsville unit --
25 why was he --

1 MR. COOPER: The Huntsville people were
2 the folks -- when we first got the bottles, they're the
3 ones that came and took possession of the bottles and
4 did the specialized test.

5 They were the ones, they do -- they review
6 archive search reports nationwide. That's their
7 expertise, nationwide to analyze and assess risk for
8 these exact type of sites; not only in the Presidio, but
9 other -- these type situations happen all over the
10 place, and I was really hoping to be able to tap into
11 that expertise.

12 MS. SEGAL: So Craig, so the letter is
13 fourteen months later than we expected, but based on
14 this Susan who inquired, what does it really mean now,
15 though, for the fenced off area?

16 MR. COOPER: Right, and I think --

17 MS. SEGAL: What steps? Is that what
18 you're going to respond to them about?

19 MR. COOPER: Exactly. The fenced off
20 area, the mustard agent site is one of the three sites
21 where the Army said yes, this requires further
22 evaluation.

23 So I don't want to -- you know, I want to
24 keep any momentum that the Army may have on those sites
25 going, and then for us to really, you know, study the

1 other seventeen and see how we feel about that.

2 So I don't want to slow them down.

3 MR. SUTTER: But are they moving to begin
4 with?

5 MR. COOPER: But -- and that's what's
6 going to get the fence down. The Army needs to -- I
7 think Bob has made that clear. They've got to do
8 further evaluation, you know, and satisfy DTSC before
9 that fence goes down, and the citizen, he was really
10 just interested in the fenced off area. The redwood
11 trees in particular was an area that he would go and
12 visit on a regular basis and he's really missing that
13 particular area.

14 Mm-hmm, Jan.

15 MS. BLUM: I would like to recommend that
16 we escalate this way up to the executive director's
17 level and have him call the president of the United
18 States or something so we can get some action. This is
19 really unacceptable.

20 I mean, it's just a report they printed to
21 close the case and nobody's really looked at it and it's
22 just really ridiculous after a year.

23 I just think they ought to get the job
24 done and somebody needs to put a little pressure on them
25 or have them say, "We're not going to do anything about

1 it." You decide or something.

2 MR. COOPER: Right.

3 MS. BLUM: Or close the area off forever,
4 say it will never be opened.

5 MR. COOPER: I've got all kinds of
6 emotions about the way this turned out, because if I had
7 known this was going to turn out this way, I could
8 have -- there are other experts other than Huntsville,
9 even though that was the one that we were going to tap
10 into, I could have hired some folks to get into this and
11 told the Army "I'm going to bill you on this" and start
12 a cost recovery action, but I just felt like we --

13 MS. TRIGIANI: Let's do it now.

14 MR. COOPER: It led to another month, led
15 to another month. It won't be cheap, you know, and it's
16 a big decision to start tapping into remediation funds
17 for this, and I don't even know if it's allowable.

18 It's just a year has gone -- another
19 year's gone by and I --

20 FACILITATOR KERN: Well, it's kind of
21 like welcome to working with the Army. I mean --

22 MS. SEGAL: Do we have the names of the
23 guys that came from Huntsville originally? Maybe they'd
24 really be interested this looking once they've done the
25 archive search.

1 MR. COOPER: It's not their fault at all.

2 MS. SEGAL: I know. I'm saying maybe if
3 we interest them since they came out originally and took
4 possession of the canisters.

5 MR. COOPER: Um --

6 MS. SEGAL: It seems to me the whole
7 thing was taken away from them for the archive search.

8 MR. COOPER: Which was appropriate. They
9 don't write archive search reports. They analyze them
10 and assess risk.

11 The Army went through the steps. They
12 hired the people from the St. Louis office to write the
13 archive reports. That process was fine.

14 It was since October of 2003 when the
15 archive search report was released, we thought we were
16 going to get this memo from Huntsville to say the
17 relative risk and this is what's important to worry
18 about and et cetera, but anyway, I don't want to sound
19 like a --

20 FACILITATOR KERN: I know. I guess I
21 would recommend that having received that information
22 from Bruce, that you probably have any number of
23 alternatives that come to mind.

24 I think we could spend a little time
25 generating alternatives that we could pursue. We

1 generate all those alternatives, come together and try
2 to strike a course as to how we can work together to get
3 the best solution for this.

4 I mean, because I think it is well within
5 the power of this group to get a good result here --

6 MR. COOPER: Mm-hmm.

7 FACILITATOR KERN: -- really.

8 MR. COOPER: So I just wanted to mention
9 that, and the other -- can I switch gears?

10 FACILITATOR KERN: Yes.

11 MR. COOPER: The other thing just real
12 fast, the March committee meeting -- Mark, let's talk
13 about potential agenda items for March committee
14 meeting. That way we can start this whole concept of
15 thinking in advance, is that one thing that I do know
16 for sure that's on our March committee meeting is our
17 presentation of the Mountain Lake Tee grant project
18 statement, and it's -- basically that meeting's going to
19 happen March 22nd, and my goal is to submit the project
20 statement to Caltrans in early April.

21 So it will be our -- my -- our last
22 opportunity for us to brainstorm. We're going to
23 present -- I'll bring the folks from CDM. They'll
24 present it and we'll get some input from you guys, and
25 I'm going to package it up and mail to it Caltrans.

1 We've got to keep pushing on that. The
2 Caltrans people are starting to get edgy to say the
3 least, so -- and I don't know what else is on the agenda
4 for March committee meeting.

5 MR. YOUNGKIN: Your suggestion was
6 207/231 draft CAP?

7 MR. COOPER: Correct. Not necessarily
8 the CAP per say, but more going over the data report
9 that we issued last year and just kind of getting folks
10 familiar with the site.

11 MR. ULLENSVANG: The beginning of the
12 discussion.

13 MR. COOPER: Beginning of the discussion,
14 yeah.

15 MR. BERMAN: Also were there any
16 surprises in the RAP through CEQA?

17 MR. COOPER: No.

18 MR. BERMAN: Okay.

19 MR. COOPER: We think it's all --

20 MR. BERMAN: Not all formal.

21 MR. COOPER: Yeah. There's a lot of work
22 went into it. I'll say that.

23 MR. BERMAN: I mean --

24 MR. COOPER: No potential significant
25 impacts. We've thought through a lot about how to set

1 up our project scope to make sure that we're, you
2 know -- we're generating potential impacts right into it
3 and addressing the potential impacts.

4 FACILITATOR KERN: So -- okay. That's --
5 very good. I think we will look at, you know, these
6 sites and confer and --

7 MR. COOPER: Right.

8 FACILITATOR KERN: -- develop our knew
9 agenda stuff and get questions.

10 MR. COOPER: And if you advise me on how
11 to organize our monthly updates, a template that
12 everyone can start getting used to, I'm open to that.

13 MR. BERMAN: Craig, a minor question
14 about the -- the mustard gas and Army. Have there been
15 any costs incurred by the trust --

16 MR. COOPER: Yes.

17 MR. BERMAN: -- because of this?

18 MR. COOPER: We installed a fence,
19 mm-hmm.

20 MR. BERMAN: So they may be not big.

21 MR. COOPER: Right.

22 MR. BERMAN: But have you not billed the
23 Army for that?

24 MR. COOPER: I have not billed them.

25 MR. BERMAN: Maybe the way to get the

1 Army moving on this is to bill them for the costs and
2 see what they say.

3 MR. COOPER: I set up a separate charge
4 number and -- that's probably a 30 to -- 30,000 at this
5 point. It's not a ton of money.

6 MR. BERMAN: The Army doesn't -- doesn't
7 want to spend another red cent here at the Presidio if
8 they can avoid it, so if you start billing them, you
9 might get a response.

10 MR. COOPER: Mm-hmm.

11 MS. TRIGIANI: Great idea.

12 MR. SUTTER: The Army pays millions of
13 dollars for fences, you know, Craig, so you could really
14 sock it to them.

15 MR. BERMAN: Toilet seats. You got the
16 wrong thing.

17 FACILITATOR KERN: Let's check in --

18 MS. BLUM: Another comment on billing the
19 Army. I think we lost a year in native plants, plus the
20 salaries of nursery employees and all of those
21 volunteers who are rated at \$50.00 an hour on the open
22 market might be a nice chunk of change, too.

23 MR. COOPER: Terry Thomas has recommended
24 to me that we -- you know, we've definitely charged --
25 we had to do basically some emergency -- because the

1 resources folks weren't able to finish their vegetate --
2 it was all part of the vegetation project, and that got
3 stopped cold in its tracks.

4 We had to put up a fence, and we had to
5 start some emergency soil erosion control because we
6 found the bottles just before the rainy season was going
7 to start. We had to put down things.

8 That definitely would get charged, but
9 what Jan was talking about is a whole bunch of plants
10 got redirected. The whole revegetation program has
11 gotten blown off kilter because of this find, so I've
12 been toying with the idea of how to bill the Army for
13 that, and it's -- it will be a little trickier, but I'm
14 not against it to try to up the cost of that claim, at
15 least at this point in time.

16 FACILITATOR KERN: I'm going to see if we
17 can capture this remaining time and get people out of
18 here.

19 Bob and Jim. We'll start with Jim. Any
20 comments?

21 MR. PONTON: No.

22 MR. BOGGS: I just wanted to update you
23 that we've been having ongoing meetings regarding RAP 3.
24 We met last week for almost four hours. We're meeting
25 again Tuesday. That's the crux of our efforts right

1 now.

2 FACILITATOR KERN: Thank you.

3 New business? Review of the action items.

4 I think Julian's recommendation that we
5 develop a letter of sympathy from the RAB.

6 Is there anyone that would like to take
7 that on?

8 MR. YOUNGKIN: It should be someone good
9 at sympathy.

10 FACILITATOR KERN: Someone who would be
11 good at writing that letter from us to the family.

12 MS. TRIGIANI: Do you want me to draft
13 it?

14 FACILITATOR KERN: That would be great.
15 Thank you. I think Julie got the card together and
16 we've designated Jan as our liaison.

17 We have a new attempt at our agenda.
18 We've got some working groups for the Mountain Lake and
19 the administrative group.

20 Those are -- and we've got some agenda
21 items for the March committee meeting, Mountain Lake,
22 Tee grant and the 207/231 daily report beginning
23 discussion around building 207/231.

24 Are there any other thoughts before
25 closing tonight?

1 I want to thank Craig and Jen for their
2 reports tonight and all of you for the work again on
3 this letter.

4 Without objection, meeting adjourned.

5 (The meeting concluded at 9:43 PM).

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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN FRANCISCO)
3

4 I, the undersigned, hereby certify that the
5 discussion in the foregoing hearing was taken at the
6 time and place therein stated; that the foregoing is a
7 full, true and complete record of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the
10 foregoing hearing and caption named, or in any way
11 interested in the outcome of the cause named in said
12 action.

13
14 IN WITNESS WHEREOF, I have
15 hereunto set my hand this
16 6 day of September,
17 2005.

18 
19 Mark I. Brickman CSR 5527
20
21
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24
25

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PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS
TUESDAY, APRIL 12, 2005
OFFICER'S CLUB, BUILDING 50
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator

Mark Youngkin

Brian Ullensvang

Peter O'Hara

Craig Cooper

Jim Ponton

Sam Berman

Jan Monaghan

Julian Hulgren

John Budroe

Gloria Yaros

Jan Blum

Mary Trigiani

Jack Luikart

Jerry Anderson

David Sutter

Bob Boggs

George Dies

Julie Cheever

Karen Cleek

Also Present:

John Catts

Mark Frey

---o0o---

BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on April 12, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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1 FACILITATOR KERN: Welcome, everyone to
2 the Presidio Restoration Advisory Board meeting for
3 April 2005.

4 Just as a word of warning about me, I have
5 a little bit of a sinus thing going on. It's probably
6 not contagious, but it will probably sound funny,
7 funnier than normal, which I'm sure already sounds
8 funny.

9 I'd like to welcome the Presidio Trust and
10 the contractors, National Park Service, our regulatory
11 community, RAB community members and members of the
12 public tonight.

13 Does everyone have an agenda? And is
14 there any discussion or additions, modifications?

15 Very well.

16 MS. BLUM: I want to ask a question.
17 With respect to continued discussions about committee,
18 subcommittees, would that be more appropriate for the
19 committee agenda itself at this meeting?

20 FACILITATOR KERN: Well, I think it might
21 lend itself to a format discussion at the committee
22 meetings.

23 MS. BLUM: Okay.

24 FACILITATOR KERN: Are there any
25 announcements or old business?

1 Let's move on to the planning committee
2 report, then.

3 Would that be Mark?

4 MR. YOUNGKIN: I wasn't there.

5 FACILITATOR KERN: That would be more
6 difficult for you to make a report.

7 MR. YOUNGKIN: Jan Monaghan sent out
8 e-mail notes --

9 FACILITATOR KERN: Yes.

10 MR. YOUNGKIN: -- from the meeting that
11 night.

12 Have you had a chance to read Jan
13 Monaghan's notes from the meeting that was held?

14 FACILITATOR KERN: Well, it seems in
15 general that we talked about Mountain Lake, and -- well,
16 that's right. I did read Jan's e-mail notes and they're
17 quite a bit more complete than I'll be able to dredge up
18 from my memory.

19 Would there be any objection in moving on
20 at this point without a full hearing of what we did at
21 our committee meeting? Refer to your notes from Jan
22 Monaghan. Is that okay?

23 I'm seeing generally no objection.

24 I think, though, I had to leave at about
25 nine o'clock and I think after that, there was some

1 discussion about landfill E which I'll be interested to
2 find out more what happened with that, I'm sure, and
3 then perhaps there's ongoing discussion about that
4 topic.

5 Let me ask about the RAB meeting format,
6 item 4B and Mary.

7 MS. TRIGIANI: Doug, I'm sorry for my
8 confusion, but my reference is to take that up in
9 committee.

10 FACILITATOR KERN: All right.

11 MS. TRIGIANI: If -- that was my request
12 was to get that on the agenda for --

13 FACILITATOR KERN: Okay.

14 MS. TRIGIANI: -- our meeting in two
15 weeks.

16 Can we do that?

17 FACILITATOR KERN: Sure.

18 MS. TRIGIANI: Thank you.

19 FACILITATOR KERN: Very well. We're
20 rapidly moving through the agenda now. 5A would be
21 landfill 8 and 10 and we're to Craig, pre-release
22 briefing and all that and I'll just try and be quiet.

23 MR. COOPER: One more minute, please.

24 FACILITATOR KERN: While Craig is playing
25 audio-visual technician, we'll cover for him briefly by

1 noting that I received notification from the Presidio
2 Trust that there were people out repairing the pipe --
3 the overflow pipe into Lobos Creek, so I would like
4 to --

5 MR. ANDERSON: Overflow from what?

6 FACILITATOR KERN: There was a sewer
7 crossing of Lobos Creek at 22nd Avenue and there's been
8 overflow that looked like it was directly connected to
9 the creek.

10 So in certain circumstances, it could
11 overflow into the creek, and I think rapid action on the
12 part of several people contributed to the trust and the
13 city actually getting out in the creek and looking at it
14 and inspecting it, finding the actual site that we were
15 talking about and repairing it. So that was a good
16 result.

17 I'd like to thank everybody involved in
18 it.

19 MR. YOUNGKIN: Plugging it.

20 FACILITATOR KERN: Plugging it up,
21 mm-hmm. Very good.

22 MR. COOPER: I can't find the extension
23 cord. It has your computer.

24 FACILITATOR KERN: Craig, do you want to
25 actually use the paper copy?

1 MR. COOPER: Yeah. For the time being,
2 let's do that, and then we can try unplugging the laptop
3 and using that cord, Power Point that Bob is getting.

4 Okay. I apologize for the technical
5 difficulty on the projector. Maybe it will be a nice
6 change instead of having that thing buzzing at us all
7 night long.

8 So -- so what I'd like to do -- it's been
9 quite a while since I talked to you about the
10 feasibility plans, feasibility study for landfill 8 and
11 10, and in fact, it's been about a year, believe it or
12 not. It's been quite a while.

13 So what I want to do is provide kind of
14 a -- refresh our memories on what -- what's happening at
15 landfill 8 and 10 and give you an idea of what the trust
16 and the park service has been talking about over the
17 last year with respect to the feasibility study,
18 describe our -- the feasibility study is getting much
19 closer now to release to the regulatory agencies -- no
20 go.

21 MR. BOGGS: No go.

22 MR. COOPER: Hopefully this won't --

23 MR. DIES: Go ahead. Keep going.

24 MR. COOPER: I doubt it.

25 MR. FREY: If you push hard.

1 MR. COOPER: Shoot, because in the
2 monthly updates, we had some great photos. Well, we'll
3 have to just struggle along here. I guess I don't need
4 this anymore, do I?

5 Okay. It's the old-fashioned way.

6 MR. BOGGS: It will be just fine.

7 MR. COOPER: And so next slide. I'm on
8 top of page 2. I'll have to tell you where I am, top of
9 page 2.

10 So just to kind of recap what happened at
11 this site, you know, since 2002, and I can even -- you
12 can start earlier than that.

13 The Army actually wrote a Record of
14 Decision, which is like a RAP for the sites, and back in
15 the late 1990s and it was for the most part kind of a
16 monitoring/no further action type -- type remedy, and
17 under CERCLA, the law that these landfills are regulated
18 under, every five years when you leave waste in place,
19 whether it's capped or monitored or whatever, CERCLA
20 requires that you -- that you go back and check to make
21 sure that your remedy's protective of human health and
22 the environment.

23 So back in 2002 and 2003, that's what the
24 trust did and we did a five-year review investigation
25 and then we came out in February 2004 of a five-year

1 report and it was very extensive -- and the results of
2 that five-year report basically concluded that the
3 Army's old remedies were not protective of human health
4 and the environment.

5 So we immediately began working on
6 thinking of better, more protective remedies for these
7 landfills since the Army's remedies were deemed
8 unprotective.

9 So we actually -- in February of 2004, we
10 met with you guys, and basically very, very
11 preliminarily presented, you know, the outline of the
12 feasibility study and your basic, you know, alternatives
13 that go into your landfill into a feasibility study for
14 landfills, and -- and then the trust actually worked on
15 preparing a feasibility study for this, and it was a
16 draft -- a draft was released just to the park service
17 and the trust at that time, and just reading that draft
18 feasibility study -- I'm now on the bottom slide of page
19 2 -- the trust and the park service, there's a lot of
20 issues that we need to work out on this feasibility
21 study before we could even internally decide what the
22 preferred alternative would be.

23 So the issues that park service and the
24 trust realized when we looked at the first internal
25 draft is that the -- we need to work up a lot harder and

1 coordinate with our -- the trust and park service land
2 use people with respect to landfill 10, because landfill
3 10 has two different land uses on it, and in fact -- if
4 I had the Power Point presentation, we could look at a
5 map, but everyone knows where landfill 10 is? The
6 parking lot by Public Health Service Hospital.

7 The parking lot is kind of sloped as you
8 see coming in, and so the land use for the parking lot
9 area is residential, you know, parking lot type use.
10 Landscaped.

11 It's in the landscape zone of the BMP, and
12 then when you -- then when you go down the slope of the
13 landfill, the land use changes to recreational and
14 native plant zone in the BMP.

15 So it's -- the site -- think of the
16 landfill. It's kind of cut into two land use zones,
17 yeah.

18 FACILITATOR KERN: You have a question
19 when you have a break.

20 MR. COOPER: Yeah. We can do questions
21 now.

22 MR. BERMAN: Okay. Could you just
23 comment and say what particular components of the -- of
24 the Army's ROD actually failed to cover the human health
25 concerns? I mean, was it pesticides?

1 MR. COOPER: We found -- yeah --
2 chemicals of concerns in surface soil basically at both
3 sites, and those chemical concerns -- just from my
4 memory, there's pesticides at 8, and at 10, metals.

5 MR. ULLENSVANG: There's pesticides at 10
6 and metals.

7 MR. COOPER: And metals, right.

8 MR. BERMAN: But the Army supposedly had
9 sampled for the metals, right? I don't know about the
10 pesticides, but hadn't they done some sampling there?

11 MR. COOPER: Boy, I'd have to --

12 MR. ULLENSVANG: At landfill 8, they had
13 not sampled the surface soil, and -- or they had not
14 sampled the actual waste. They had sampled below the
15 waste.

16 MR. COOPER: Oh, that's right.

17 MR. ULLENSVANG: So there was a quantity
18 of material that was the issue that hadn't been really
19 tested, and at landfill 10, there were other issues with
20 respect to stability of the site.

21 MR. COOPER: Right.

22 MR. ULLENSVANG: In a seismic event,
23 would it survive? There were tolerable amounts of
24 deformation or was it a threat to human health through
25 risk to the creek or failure of the slope under a large

1 earthquake.

2 And so those are really the areas that the
3 trust study identified weaknesses.

4 MR. COOPER: Right.

5 MR. ULLENSVANG: And the chemicals that
6 might be exposed to land instability at landfill 10.

7 MR. COOPER: And both sites are in the
8 eco special status zone which causes our cleanup levels
9 to be, you know, extremely low when it comes to
10 pesticides and, you know, it's our lowest -- our most
11 stringent group of cleanup levels.

12 MR. ULLENSVANG: The Army for neither of
13 the sites had established cleanup levels to compare the
14 values to. They just looked at what they said and they
15 said it looked good enough. They used more words than
16 that. They didn't have a set criteria to compare it to.

17 MR. COOPER: Okay. So that was --

18 MR. BERMAN: Fine.

19 MR. COOPER: That's kind of the --

20 MR. BERMAN: It's sort of strange that
21 they would actually issue a ROD without having a
22 criteria.

23 So it was just -- I mean, it's just to get
24 rid of it, basically. They didn't have to do that.

25 FACILITATOR KERN: It was done right at

1 the formation of the RAB, right near the very beginning.
2 I think it was one of the first things we had a chance
3 to look at, and it was kind of like it was being rushed
4 through.

5 MR. COOPER: Okay.

6 MR. BERMAN: Thanks.

7 MR. COOPER: So those are the CFCs, and
8 as you can see, one of the issues that we wanted to
9 continue to look at -- I'm still on the second, the
10 bottom slide on page 2 -- is slope stability of landfill
11 10.

12 We felt that maybe the analysis in that --
13 in the initial F -- the internal F/S needed some more
14 work and thinking in that particular issue.

15 Also quality and sand for landfill covers.
16 If we did do a -- a cover on these landfills, what would
17 be an appropriate cover material that would be suitable
18 for the land use that it's in for the native plant zone
19 that both of these landfills are in.

20 So that took some research and some
21 discussion because importing sand is very expensive and
22 the whole Golden Gate Park sand issue -- opportunity
23 arose shortly thereafter.

24 We also took a look at -- you know, we
25 needed to think a little harder about methodologies for

1 slope stability at landfill 10, what type of methodology
2 is necessary, if one is necessary at all.

3 There's different ways to assure that a
4 landfill will withstand a seismic event, and you can use
5 things like a buttress, which is, you know, either an
6 earthen or otherwise structure to hold the landfill in
7 place, pin piles are pins that you basically drill right
8 into the landfill, big metal rods that you can think of
9 it that way, or there's different ways to kind of cut
10 back the slope, because the slope's really steep right
11 now which makes it -- increases its instability.

12 So you can make the slope less steep
13 and -- which generally would increase its stability, or
14 you can take a look at, you know, moving soil or
15 removing soil, also.

16 So slope stability has been a big topic of
17 conversation internally for the last year or so.

18 And there's natural resource issues that
19 we needed to think a lot harder about, as well.

20 As you know, the Lessingia plant lives
21 very near both landfills that we needed to -- our
22 initial consultation with the Fish & Wildlife Service
23 with respect to Lessingia habitat in respect to landfill
24 10 was incomplete. We did an initial consultation a few
25 years ago.

1 In landfill 10, it was basically we needed
2 to revisit that subject if we wanted to change the
3 remedy. Here we are changing the remedy, so we needed
4 to revisit the subject of talking to Fish & Wildlife
5 Service, and we had to -- we've actually started to do
6 something called a biological assessment, which is the
7 talking piece that you use with Fish & Wildlife Service
8 to explain to them if you're going to run over some
9 Lessingia, this is what we're going to do to mitigate
10 that, you know, make new Lessingia habitat, et cetera.

11 As you know, these were some pretty big
12 ticket items which took some serious time the last year,
13 so it's kept us busy.

14 So, for example, what did we actually do?
15 I'm on the top of page 3 now.

16 The trust prepared a technical memorandum
17 analyzing various slope configurations if we are going
18 to go for a cover, you know, how -- if we wanted to take
19 a look at, you know -- there's the buttress, the pin
20 piles and then cutting back the slope.

21 So if we're going to cut back the slope,
22 how do we want that slope to look? And there's dig
23 configurations of three to one slope or four to one
24 slope or two to one slope or whatever, you know.
25 Different steepness of the slope and different kinds

1 kind of looks of the landfill.

2 How do we want that finished product to
3 look, and what combination between the aesthetics and --
4 and improvement of stability.

5 So we did a technical memorandum of that,
6 and that technical memorandum will be attached to the
7 feasibility study when it -- when it goes out so you can
8 see some detail, you know, kind of engineering analysis
9 that we kind of -- that kind of went into looking at
10 different configurations.

11 And we also came up with a much more
12 elaborate and detailed set of alternatives, and which
13 I'll talk about in more detail, especially for landfill
14 10.

15 You know, so it's not just, you know,
16 alternative 2, landfill cover. We'll have alternative
17 2A, 2B, 2C, 2D. I'll explain some of those some more.

18 So it's really -- that feasibility study
19 when it comes out, you'll have a lot more -- you'll have
20 several alternatives to consider when we look at that.

21 MR. BERMAN: Craig, who was the
22 consultant on the seismic evaluation?

23 MR. COOPER: Mm-hmm. They're called
24 Golder & Associates.

25 MR. BERMAN: Yeah. So you've used them

1 before here on some other projects; right?

2 MR. ULLENSVANG: Yes. They work with
3 EKI, the trust.

4 MR. COOPER: Right, yeah. EKI is our
5 consultant who's actually writing the feasibility study,
6 but Golder is basically providing all the technical
7 backup for these slope stability analyses,
8 configurations, looking at, you know, -- yeah, the
9 technical backup about each alternative, because you
10 need that to run it through the evaluation criteria.

11 MR. BERMAN: So that's something that
12 Golder itself can't do? I mean, EKI, in a sense, you've
13 got two big companies here, one feeding into the other,
14 and that change is necessary in order to get the F/S
15 out?

16 MR. COOPER: It's not really necessary.
17 In fact, I'm looking at just -- once we maybe get
18 through the F/S and the RAP, that EKI would go away.

19 If we continue to be satisfied with
20 Golder's work, when we go to remediation design, it will
21 just be all Golder.

22 MR. BERMAN: Because they're essentially
23 doing most of the work; right?

24 MR. COOPER: Right. They're doing all
25 the technical -- they're just a sub to EKI right now.

1 MR. ULLENSVANG: They're doing the
2 seismic and geotechnical analysis of the alternatives,
3 and EKI is packaging --

4 MR. COOPER: Right.

5 MR. ULLENSVANG: -- and looking at the
6 other factors that go into it. It's not just seismic.
7 So EKI is doing a fair amount of work.

8 MR. COOPER: Right. Okay. So I'll tell
9 you more about these subalternatives in a minute here.

10 We also -- as we started -- as Golder and
11 EKI were putting together this technical memorandum,
12 looking at different slope configurations, and as we met
13 with, you know -- we hired a consultant to help us with
14 this biological assessment on endangered species and we
15 also started to take a look at -- so not only the slope
16 of landfill 10, but the top part, you know, we wanted to
17 coordinate our thinking with the planning department
18 with respect to if -- are they going to keep a parking
19 lot there?

20 If so, what's your basic configuration of
21 the parking lot, and we also met with trust people about
22 maybe there'll be a trail -- the trail's planned.

23 The Presidio trails plan has a trail that
24 cuts across this particular area, also. We need to
25 incorporate that into our thinking process, and the

1 trust planning department suggested that maybe we could
2 have an overlook there, as well, because it's a great
3 view of the Lobos Creek valley from that -- from the
4 parking lot area.

5 So those were all things. What we did is
6 we've been meeting with trust and park service natural
7 resources people and planners about all these issues, so
8 that -- of course and then by doing so, that helps us
9 with the alternatives analysis and the feasibility study
10 and kind of sorting through which alternative works out
11 best.

12 And in the last couple months, we've
13 basically been setting up weekly meetings with Golder
14 and EKI. Chris Nelson is my project manager on this,
15 and Brian, they've been -- because it's one thing to try
16 and -- last year, we had these kind of big, big picture
17 meetings with planners and resource people and stuff
18 like that and our -- and our technical consultants.

19 Then it's about following through on those
20 issues. You get, you know, action items and consensus
21 in these meetings, and then following through, that we
22 get written up in the feasibility study in the way that
23 we all kind of talk about in these planning meetings
24 last year.

25 So I think that's why we didn't -- we've

1 been having weekly meetings to make sure that the
2 feasibility study stays on course with what had been
3 talked about with all these external parties that we've
4 been coordinating with. So that's basically what we've
5 been doing over the last year.

6 Any questions on that before I go into
7 the -- what's -- what kind of a sneak preview of the
8 feasibility study itself?

9 So just as -- I'm on the bottom slide of
10 page 3 now. Just as a basic reminder, feasibility
11 studies, what we do is they identify and evaluate
12 remedial alternatives for each site, incorporating new
13 information.

14 So we have new information regarding the
15 five-year review. We've got new information from our
16 planners and resource people. We have new information
17 from the technical memorandum looking at slope stability
18 and so on.

19 All that goes into the feasibility study,
20 and you start to identify remedies, remedial
21 alternatives from that.

22 We'll run those remedial alternatives
23 through the evaluation criteria. You know all about
24 that stuff from previous feasibility studies, and then
25 we'll recommend a -- our -- the trust preferred remedial

1 alternative.

2 So I know this would have been a lot
3 better if the projector was working, but this is a
4 picture of landfill 8, and there's a couple features I
5 want to point out to you is that the landfill is the
6 larger kind of -- I don't know. Mickey Mouse ears
7 time -- upside down, it looks like Mickey Mouse ears.

8 MR. FREY: The manatee.

9 MR. COOPER: People call it a manatee.
10 It's the larger outline. We actually -- through the
11 five-year review, the edges of the -- the footprint of
12 the landfill we realized was a little bit bigger than
13 what the Army had originally thought, so that's the --
14 the boundary of the landfill.

15 Then that kind of odd shaped polygon in
16 the middle. You know what I'm talking about? This
17 thing here in the middle, that's the estimated
18 boundaries of the -- of cemetery that is underneath this
19 landfill.

20 FACILITATOR KERN: That's up in the
21 bottom picture.

22 MR. COOPER: Correct, yeah. So you can
23 kind of see the landfill is pretty much smack dab over
24 on top of the cemetery, and then a term that we've been
25 using, and I'll be using again, these two edges on the

1 sides of the landfill, we call those the wings of the
2 landfill.

3 It's not really a technical term. It's
4 just a way to describe these two far edges of the
5 landfill that are actually quite thin in thickness, and
6 we think that we can kind of -- we kind of broke those
7 out with a special name because when we took a look at
8 alternatives, we thought there could be some
9 opportunities in dealing with the wings differently than
10 the central portion of the landfill since the central
11 portion is overlying the cemetery.

12 Okay.

13 FACILITATOR KERN: It appears that
14 there's two configurations of the cemetery which I can
15 see it is in the legend, but I can't quite read what
16 that says.

17 MR. COOPER: Yeah, no.

18 MS. BLUM: Thank you.

19 MR. COOPER: The dash up here at the dash
20 line and this dash line, it stays the same as far as our
21 estimate of the dimensions of the cemetery, and then the
22 hash mark has a different meaning that will show up in
23 the -- it's associated with one of the alternatives --

24 FACILITATOR KERN: Okay.

25 MR. COOPER: -- where we do a cover in

1 the middle part and not -- we do something else with the
2 wings.

3 FACILITATOR KERN: Okay.

4 MR. COOPER: Okay. All right. That's
5 the general concept.

6 So what -- as a preview of the
7 alternatives now that we're looking at landfill 8, I'm
8 on the top of page 5, the --

9 MR. ANDERSON: How confident are you of
10 the outline of the cemetery?

11 MR. COOPER: It's, you know, to the best
12 of our knowledge. We did -- I think it's just placed by
13 aerial photographs.

14 MR. ULLENSVANG: It was a combination
15 of -- there's been a couple of investigations, one that
16 the Army did in the early '90s that they actually did
17 you go down and tried to determine where graves were.

18 There's been some old mapping done from
19 previous days, and I think those are the two main things
20 that we established where it was.

21 MR. COOPER: There was never any work,
22 though, to try to define the edges of the cemetery,
23 yeah.

24 MR. YOUNGKIN: There's fence posts --
25 isn't there -- in one corner the original fence post is

1 sticking out of the ground?

2 MR. ULLENSVANG: Maybe. I don't remember
3 that, but it's possible.

4 MR. COOPER: So it's estimated, yeah.
5 It's definitely estimated.

6 As you know, during the five-year review
7 when we did some trenching, we discovered some parts of
8 a body. So we know it's a real thing. The cemetery is
9 definitely underneath a portion of landfill 8.

10 Whether, you know -- you know, it might
11 move around a little bit, but this is -- to the best of
12 our knowledge, it's in this section there.

13 So alternatives is -- the first one is the
14 one that we always have to do is the no action.

15 The second one, as you can see, it has a
16 part A and a B, and this is a cover alternative with
17 a -- what we call a permeable cover. 2A is -- we
18 construct a permeable cover over the entire landfill 8,
19 and 2B is consolidate the waste which would mean push
20 the waste in from the wings and kind of mound it up, you
21 know, so you have a smaller footprint and then just put
22 a cover over the consolidated area.

23 So the idea is to push -- under 2B is to
24 push the wings in and then put a landfill cover, a
25 permeable landfill cover over -- over that.

1 Okay. Everyone understand 2A and the 2B?

2 And by "permeable cover," we basically
3 mean something like, you know, some kind of soil --
4 suitable soil material.

5 Permeable means that water would be able
6 to, you know, trickle through it, and so basically the
7 i -- the primary goal of a permeable cover is to cover
8 the -- those exceedences of metals and pesticides, so
9 there isn't a direct contact with those anymore.

10 MR. SUTTER: Craig.

11 MR. COOPER: Yeah.

12 MR. SUTTER: To do a cap, what's the
13 advantages of consolidating the landfill as opposed to
14 just doing a cap over it?

15 MR. COOPER: The advantages is then you
16 would have less surface area to build the cap over. If
17 you push it in and push those wings in, then your total
18 amount of surface area that you have to cover with a cap
19 becomes smaller, so your capital costs for the cap go
20 down, but that gets balanced capital cost of the -- you
21 know.

22 MR. SUTTER: That's what I'm getting at.
23 Is there significant cost differential?

24 MR. COOPER: It depends on how much waste
25 you're moving and how much surface area -- if the wings

1 are very thin, then you're not moving, you know -- it
2 should -- it's relatively cheap to push that waste in,
3 and then -- and for a perhaps significant decrease in
4 total surface area that needs to be covered.

5 MR. SUTTER: Right, and --

6 MR. COOPER: But the feasibility study
7 gets into that level of detail. This is just a brief
8 overview about kind of the issues that, you know, each
9 alternative will grapple with, but the feasibility study
10 puts dollars to each of these alternatives obviously,
11 and you'll see line items for cost to consolidate and
12 unit costs for covering surface -- landfills by surface
13 area.

14 MR. SUTTER: Yeah, and will the
15 feasibility study evaluate potential because of
16 perturbation of the waste from impacts on groundwater
17 from that consolidation process?

18 MR. COOPER: Of the consolidation
19 process?

20 MR. SUTTER: Yeah.

21 MR. COOPER: We don't see that as an
22 issue.

23 MR. SUTTER: I believe the assumption
24 will be that the waste at this point is not leaching
25 into groundwater, so moving it would not increase its

1 leachability.

2 MR. COOPER: Right.

3 MR. ULLENSVANG: That's kind of an
4 assumption that goes into it.

5 MR. COOPER: Right.

6 MR. SUTTER: I guess my question is:
7 Will that assumption be evaluated?

8 MR. ULLENSVANG: I'm not sure.

9 MR. COOPER: It can be discussed.

10 MR. ULLENSVANG: I'm not even sure how
11 you would evaluate it.

12 MR. COOPER: So your concern is that if
13 we move the waste, then it would like make it more
14 mobile?

15 MR. SUTTER: You move it around. Would
16 there potentially possibly be a greater impact upon
17 intrusion into groundwater than if you just leave it
18 there and cap it?

19 MR. YOUNGKIN: Groundwater monitoring
20 would show that.

21 MR. COOPER: I don't think so. The act
22 of moving the waste to consolidate it does not make it
23 more mobile.

24 MR. ULLENSVANG: We could talk to EKI
25 about it and see if that could be included in the

1 evaluation.

2 MR. COOPER: Yeah. There's definitely
3 the risk when you move waste of just air emissions and
4 dust and things like that. There's definitely analyzed
5 in the feasibility study.

6 MR. BERMAN: But the wings -- you said
7 that the waste was rather thin, so presumably it's a
8 long way between the waste bottom and -- and the
9 groundwater, you know.

10 MR. COOPER: Right.

11 MR. ULLENSVANG: And the issue would be
12 if we moved it -- Dave was saying if you moved it on top
13 of the center of the waste, would it become more mobile.

14 MR. SUTTER: Mm-hmm.

15 MR. ULLENSVANG: In some regard and have
16 a higher threat to groundwater than it would have if you
17 didn't move it.

18 MR. COOPER: Right.

19 MR. ULLENSVANG: I think there's
20 certainly something that could be -- I don't know
21 exactly how the evaluation would go, but it could be
22 included in the discussion of the pros and cons.

23 MR. COOPER: Under short-term
24 effectiveness. It's like we look at air emissions and
25 things like that for short-term effectiveness.

1 MR. ULLENSVANG: As if there might be
2 increased threat to the groundwater from disturbance of
3 waste.

4 FACILITATOR KERN: Jerry.

5 MR. ANDERSON: It seems like we've kind
6 of assumed that putting a trash heap on top of the
7 cemetery wasn't a good thing to begin with, but moving
8 the wings in to consolidate it just -- somehow it
9 doesn't quite seem right, and if you could take waste
10 from those spots and pile it on the cemetery, how's that
11 any different than taking waste from any other landfill
12 on the -- on the Presidio and using that as a --

13 MR. ULLENSVANG: Craig's just going
14 through the different ranges of alternatives.

15 MR. COOPER: Right. Consolidation is a
16 very common thing, common --

17 MR. ANDERSON: Yeah, but the cemetery is
18 not a common thing.

19 MR. COOPER: Correct. And our
20 feasibility study definitely acknowledges the cemetery
21 and we take a look over that active pushing waste on to
22 the cemetery is something that the feasibility study
23 discusses, right.

24 MS. BLUM: Craig, I'm sorry to keep
25 asking questions. I just want to understand the scope.

1 Are you going to be digging up that
2 parking lot? That is landfill 8; isn't it? You'll be
3 digging up the parking lot.

4 MR. COOPER: Mm-hmm. Well, if we -- a
5 couple of the alternatives has the parking lot that
6 Jan's talking about is -- it's where the trust has a
7 composting facility right now, and there's a tennis
8 court nearby, you know, behind the Public Health
9 Hospital.

10 If you ever drive down there off Battery
11 Caulfield Road. You'll see these piles of manure and
12 bark, basically. That's our composting facility and
13 it's on a parking lot.

14 Jan, to answer your question, a couple of
15 our alternatives of our alternatives take a look at
16 basically -- we'll have the composting facility getting
17 bumped out of there.

18 That's an issue where I'm also working
19 with planning on where to put the trust composting
20 facility since it can't stay on landfill 8 any longer.

21 So if we end up -- I guess if we select --
22 we're telling them that they got to move. We've already
23 got them going on that one.

24 So -- but there's a couple alternatives to
25 take a look at, complete removal of the asphalt and, you

1 know, clean closing that area where the parking lot is.

2 So when we -- when the feasibility study
3 gets released, we can identify -- we'll get into a lot
4 more detail about the actual implications of each
5 alternative and which one, what means what with each
6 one.

7 Okay. So --

8 MR. BERMAN: Craig, how -- how far down
9 is the groundwater?

10 MR. COOPER: Yeah. That's what I was
11 going to answer Dave's question. I wanted to -- do you
12 know off the top of your head?

13 MR. ULLENSVANG: Not off the top of my
14 head, no.

15 MR. BERMAN: Is it below the cemetery?

16 MR. COOPER: I would assume so.

17 MR. FREY: I think it's like twenty feet
18 down at that point.

19 MR. COOPER: Twenty feet down below
20 ground surface.

21 MR. ULLENSVANG: I just don't know.

22 MR. BERMAN: The cemetery's already ten
23 or twelve feet; right?

24 COMMISSIONER FRY: I'm not sure.

25 MR. COOPER: What's that?

1 MR. BERMAN: It's a long way from the top
2 of the -- from the top of the -- of the heap there down
3 to groundwater, and any -- any -- so any water that --
4 surface water that would carry that stuff that you --
5 that you've compacted would have to go through the top
6 of the heap and then pass through the cemetery and -- to
7 get down to the groundwater.

8 I mean --

9 MR. COOPER: Right.

10 MR. BERMAN: -- that seems to be, you
11 know, a long way. I mean, it's really -- the really
12 bothersome thing is the ethical question that Jerry
13 brings up --

14 MR. COOPER: Right.

15 MR. BERMAN: -- which is it was bad
16 enough to dump on the cemetery in the first place, so
17 now having allowed that, you just think that you can
18 continue to be evil.

19 FACILITATOR KERN: The groundwater, it
20 varies there quite a lot seasonally. The winter, it's
21 up close to the ground surface.

22 MR. BERMAN: So the groundwater is
23 actually swimming over the cemetery?

24 FACILITATOR KERN: Well, I think things
25 have changed in that area. There's been a parking lot

1 and there's been modifications that might actually cause
2 it to kind of dam up and stuff, so it could. It could
3 be saturated at first.

4 MR. ULLENSVANG: And that groundwater in
5 that area is monitored every quarter for depth, so I
6 think we just don't have that data tonight.

7 MR. COOPER: Right.

8 MR. ULLENSVANG: But it's something that
9 we can talk about or definitely in the five-year review.

10 MR. PONTON: In the groundwater report.

11 MR. ULLENSVANG: In the groundwater
12 report.

13 MR. COOPER: Okay. So alternatives 3A --

14 MR. BERMAN: This is a major issue, then.
15 A major issue is -- or is it? The potential for -- for
16 contamination reaching groundwater, is that a major
17 issue?

18 Because a cap is not going to have any --
19 have any value for looking at that problem?

20 MR. COOPER: Oh, sure. A permeable cap
21 doesn't, but, you know -- alternatives 3A and 3B are low
22 perm caps.

23 MR. BERMAN: Right.

24 MR. COOPER: Which do address the issue
25 of groundwater.

1 Okay.

2 MR. BERMAN: So, I mean, if the
3 groundwater issue was -- was of concern, then wouldn't
4 that be the driving point sort of eliminate alternative
5 2 completely?

6 MR. COOPER: If we thought that
7 threatened groundwater quality was a major concern, an
8 active exposure pathway, then alternative 2, the
9 permeable cap, would not be looked at in a favorable
10 way.

11 MR. BERMAN: Yeah, okay. I'm just trying
12 to grasp the issues here.

13 MR. COOPER: Right. But based on our --
14 just -- based on our understanding of the groundwater
15 monitoring that we've taken to date is that -- that the
16 waste has not caused any groundwater contamination --

17 MR. BERMAN: Mm-hmm.

18 MR. COOPER: -- or any significant
19 groundwater contamination.

20 So we think that 2A is in play -- the
21 permeable cover is in play equal with the, you know, low
22 perm or even -- may -- a low perm may not be necessary
23 at this site.

24 So anyway, that's what 3A and 3B are about
25 is that putting -- it's the same concept as 2, but the

1 type of cap that we build over the top of it would have
2 a layer that would be -- would inhibit, you know,
3 rainfall from getting into the waste.

4 Okay. Then alternative 4 on the bottom of
5 page 5 is your standard clean closure alternative, if
6 you will excavation, segregate, recycle to the extent
7 you can and monitor groundwater.

8 That's our conventional clean closure
9 remedy, and then 5A is another idea, basically, and 5A
10 and 5B, one idea when we were looking at the waste
11 profile before is that maybe we could just partially
12 excavate, take off the top of the -- of the landfill,
13 basically, and remove the wings totally and then build a
14 cap over the remaining part of the landfill.

15 So that's what 5A is about, and 5B is
16 let's just take -- clean close the wings, haul -- dig
17 them up, haul them away. Don't consolidate, basically.
18 Don't put waste on top of the landfill. Clean close --
19 up the wings, haul that away and just build your cover
20 over the central portion of the landfill where the
21 cemetery is.

22 Everyone understand kind of the concepts
23 between 5A and 5B?

24 MR. HULTGREN: Would that essentially
25 mean take everything down to the cemetery and then

1 putting a landfill -- putting a cover over the cemetery?

2 MR. COOPER: For 5A?

3 MR. HULTGREN: Mm-hmm.

4 MR. COOPER: 5A is basically taking
5 off -- I don't know.

6 MR. ULLENSVANG: I don't think it's all
7 the way to the cemetery. So the soil cover doesn't
8 stick up. So you lower the base so you wouldn't have a
9 mound there. It would be -- similar to what the
10 existing topography is.

11 MR. COOPER: Okay. Got you.

12 MS. BLUM: At what point in the
13 conversation on landfill 8 alternatives does culture
14 resources weigh in, like Fort Point Historic Association
15 and their MOU with the Presidio? Where does that fit in
16 with this? Are they in agreement with these potential
17 remedies or do you talk to them later? How does that
18 work? Because this is a major cultural area.

19 MR. COOPER: Right.

20 MS. BLUM: As well as a very important
21 ecological area.

22 MR. COOPER: I think what the trust would
23 do is when we get the draft feasibility study sent out
24 to the RAB and the regulators, it will have a
25 recommendation -- we'll recommend one of these

1 alternatives, and then Chris and I would go to NSCARE --
2 that's our NEPA and National Historic Preservation Act
3 Compliance Group -- and then we'll do a briefing for
4 them on, you know, what our feasibility study says.

5 MS. BLUM: Okay.

6 MR. COOPER: So we'll get feedback from
7 them at that point in time on the draft feasibility
8 study, yeah.

9 MS. BLUM: If they say, "We don't like
10 this at all," then did you waste time? Is that the way
11 the process works or could you accelerate their feedback
12 into the process so you can be sure that some of the
13 alternatives you're presenting are more appropriate for
14 that particular site?

15 MR. COOPER: Yeah. With the Fort Point
16 people, you know, where we ran into a snag with them on
17 fill site 6A was mostly they were concerned about the
18 aesthetic -- the aesthetics of the cultural landscape
19 that we were going to leave behind by implementing our
20 clean closure remedy.

21 So you make a good point, is that maybe
22 when I present these alternatives and the preferred
23 alternative, you know, for the cultural landscape
24 people, they're going to have to get an idea of what's
25 it going to look like when you're done, you know, and I

1 think that's the conversation that I should start early
2 with these folks instead of, you know -- at fill site
3 6A, we didn't start that conversation until much later
4 in the lab process.

5 MS. BLUM: I think they'd be very upset
6 about the disturbing part than almost anything at the
7 very onset.

8 MR. COOPER: Right.

9 MS. BLUM: Disturbing.

10 MR. COOPER: Okay. Thank you. I think
11 you're right on that. I have talked to, you know --
12 just internally with our archeologist and cultural
13 people and they're concerned about any disturbance of
14 the cemetery, also.

15 That would be a -- the ARARs that will
16 kick in if we tried in disturbing the cemetery, several
17 ARARs would kick in.

18 MS. TRIGIANI: I'm sorry, but wouldn't
19 any of these disturb the cemetery?

20 MR. COOPER: The alternative 4 would --
21 could potentially disturb the cemetery, because we --
22 before we did our five-year review and do the trenching,
23 we thought it was waste, you know, soil and then
24 cemetery.

25 MS. TRIGIANI: Oh.

1 MR. COOPER: After doing the trenching
2 for the five-year review, I'm not -- we're not so sure
3 anymore.

4 For some reason -- and I don't know the
5 answer to this exactly -- is that there appears to be
6 bodies somehow up at a higher elevation than what we
7 thought, and so that's -- you know, otherwise we
8 wouldn't -- we did not expect to hit that corpse when we
9 were doing our trenching.

10 MS. TRIGIANI: So this might be waste or
11 not, but it all might be cemetery based on whatever
12 shifts in the --

13 MR. COOPER: Yeah. I don't think -- you
14 know, hopefully the bodies are just not a couple feet
15 below the ground surface. They're down deeper, but I
16 can't -- our old conceptual model, they were definitely
17 distinct units is now broken down to some degree.

18 MS. TRIGIANI: That's why I'm saying if
19 there are no distinct layers, the way I'd define it,
20 that's all cemetery.

21 Do you see how I'm thinking?

22 MR. ULLENSVANG: The borings suggest that
23 there is some layering.

24 MS. TRIGIANI: Okay.

25 MR. ULLENSVANG: I don't think it's

1 necessarily now one mixed area, but what Craig is saying
2 is we cannot be a hundred percent. Maybe some
3 intermingling of the locations to some degree.

4 MS. TRIGIANI: What I'm saying is for the
5 cultural aspect, then, it's possible that given any sort
6 of shift and even if there still are distinct layers,
7 but if there's been intermingling, some folks might
8 define it, then, as that entire mask a cemetery. That's
9 all I'm suggesting.

10 MR. COOPER: They could. It would be
11 really kind of their call on how they want to protect
12 that resource.

13 MS. TRIGIANI: Exactly.

14 MR. COOPER: I can't -- yeah.

15 MS. TRIGIANI: I'm just saying to me that
16 seems like more than a remote possibility.

17 MR. ULLENSVANG: And it's certainly not a
18 trivial problem. It's a very significant problem, both
19 cultural and other.

20 MR. COOPER: Right.

21 MR. BUDROE: Craig.

22 MR. COOPER: Yes.

23 MR. BUDROE: You've got alternative 5A

24 and 5B.

25 Is there any reason there isn't 5C and 5D,

1 also, with a cover?

2 MR. COOPER: We could. I think --
3 there's no particular reason. I'll take a look at that.

4 I think -- like I said earlier is that
5 we -- we feel that the waste doesn't constitute a direct
6 threat to groundwater qualities, but even though -- we
7 did keep the 3A and the 3B in there for the
8 conversation, you know.

9 If people really dis -- I didn't want to
10 completely screen it out that the low perm cover, so I
11 kept the 3A and the 3B.

12 If people really feel that low perm is
13 necessary, then we can have that conversation and then
14 obviously if -- if we want to go toward the 5, you know,
15 into the 5s and those would need low perm, also.

16 So first I'd like to send out the
17 feasibility study. We can have a conversation about
18 perm versus low perm, and then if we think it needs to
19 be perm, then we can talk about should it be -- how to
20 do -- we think it needs to be low perm, then --

21 MR. ULLENSVANG: There should be enough
22 information to have that conversation.

23 MR. COOPER: Right.

24 MR. ULLENSVANG: Because you can compare
25 alternative 2B to 3B to see what the price differential

1 is for the smaller footprint landfill going from a
2 low -- a no -- a permeable cover to a low perm cover.

3 We'll know what the increase in cost is,
4 and that would be a similar cost increase between 5B and
5 5D, for example, if we had the C and D added in there.

6 MR. COOPER: Right.

7 MR. BUDROE: Yeah. It's just every time
8 you have a cover like this, if you're including --

9 MR. COOPER: We have the converse.

10 MR. BUDROE: -- the choice between the
11 permeable and low permeable cover.

12 FACILITATOR KERN: Craig, it seems that
13 at the end here, the estimated cost for alternative 2
14 through 5 would range between three and almost five
15 million dollars.

16 MR. COOPER: Mm-hmm.

17 FACILITATOR KERN: And, you know, I've
18 been trying to get a feel for how much these things
19 cost. It seems to me that if you put a low permeability
20 cover, meaning sand over the top of say the middle part
21 of the waste and excavated the wings, which shouldn't be
22 all that much waste, and from what you're saying,
23 they're not like class I, it's hard to imagine that
24 being three to five million dollars.

25 It seems like we've already got the sand

1 and you've got these two little thin pods of waste.

2 Why would that cost three million dollars?

3 I mean, I guess we'll see in the --

4 MR. COOPER: Yeah.

5 FACILITATOR KERN: -- document, but is

6 there something like did EKI use \$60.00 a ton or

7 something for class II or --

8 MR. COOPER: The waste in the wings?

9 MR. ULLENSVANG: I haven't seen that.

10 FACILITATOR KERN: It just seems really

11 high for what we're talking about. It's a small

12 landfill. These numbers just seem really high --

13 MR. COOPER: Okay.

14 FACILITATOR KERN: -- but I'll have to

15 wait for the document.

16 MR. COOPER: Okay. I think the 5A and 5B

17 are in the three range, mid three. Maybe that might be

18 high. Okay.

19 MS. YAROS: One last question about the
20 cemetery, or actually three questions.

21 MR. COOPER: Yeah.

22 MS. YAROS: Is it is visible, and how

23 many corpses or whatever are and how old is it? And one

24 more.

25 MR. COOPER: Yeah.

1 MS. YAROS: Do we know the -- who they
2 were?

3 MR. COOPER: Yeah, okay. It's not -- we
4 can go there right now, you can't -- there's no visible
5 signs of a landfill. There's no crosses or anything
6 like that.

7 Who they were. They were merchant marine
8 sailors for the most part that got sick and were in a
9 hospital, were being taken care of at the Public Service
10 Hospital, I guess. I forget what its old name was.

11 MR. ULLENSVANG: It was the Merchant
12 Marine Hospital.

13 MR. COOPER: Yes, and they -- I mean,
14 starting from like 1880s, 1890s.

15 MR. ULLENSVANG: Something in that
16 vintage.

17 MR. COOPER: And off the top of my head,
18 when the cemetery closed, early --

19 MR. ULLENSVANG: I think about 1900.

20 MR. COOPER: Yeah, and there's
21 approximately 300 --

22 MR. ULLENSVANG: I thought it was 4 or
23 500. It's a large number.

24 MR. DIES: Is it going to be marked
25 afterwards?

1 MR. COOPER: Yes. I will -- I can
2 guarantee you this, that regardless of the alternative
3 that we select, since I know that we can't select no
4 action, there will be some memorial hopefully that
5 everyone will think is appropriate and suitable at this
6 site to commemorate the cemetery.

7 MR. DIES: And one last question. Will
8 the RAP language indicate the presence of the cemetery?

9 MR. COOPER: Oh, yeah. The feasibility
10 study --

11 MR. DIES: Right.

12 MR. COOPER: -- talks about the presence
13 of the landfill. The RAP will talk about the presence
14 of the landfill, et cetera, yeah.

15 I don't know -- as far as the memorial, I
16 don't know if that -- I don't know if we'll get into
17 that in the planning documents, but that's already in
18 the works.

19 I've got the planning department working
20 on thinking through the memorial for that, especially if
21 they need like a, you know, trail, we can, you know, go
22 to the memorial, but it will go something pretty low
23 key.

24 MS. TRIGIANI: I suggest that as part of
25 collecting data that somebody kind of -- if you haven't

1 done this already, just get the data on who formed the
2 cemetery, whether you have a record of the names, that
3 sort of thing.

4 MR. COOPER: Yeah. There's -- there is
5 an incomplete record right now. I think they -- only
6 fifty names or something like that, yeah, have been
7 identified. So there's just a number known, but as far
8 as the actual names, that's pretty incomplete at this
9 point.

10 MS. CLEEK: By the report that's in the
11 trust library, the company in Sacramento did where they
12 researched everything and went through the old public
13 health records and things.

14 MR. COOPER: Right.

15 MS. CLEEK: They identified a lot of -- I
16 thought they would have identified more than fifty,
17 because they had like documents, letters home to these
18 people, families.

19 MR. COOPER: Fifty might be wrong.
20 They've identified --

21 MS. CLEEK: It's really a great report.

22 MR. COOPER: It could be up to a hundred.
23 There was a lot of names identified in that report, but
24 I don't want to imply that we've found all the names or
25 that has not been done.

1 So --

2 MR. YOUNGKIN: One last question.

3 MR. COOPER: -- one of those tricky
4 issues. Whether it's a remediation issue or not, I
5 think not.

6 MS. TRIGIANI: I'm not suggesting that it
7 is, but --

8 MR. COOPER: Yeah, yeah.

9 MR. YOUNGKIN: Last year when we were
10 sort of discussing alternative 5A --

11 MR. COOPER: Mm-hmm.

12 MR. YOUNGKIN: -- it looked like the
13 preliminary data showed that the upper layer had more
14 lead contamination.

15 Would it be possible to maybe take off
16 that upper layer of contamination and reduce the
17 landfill? Did that work out?

18 MR. COOPER: That's why we were listing
19 it as a formal alternative, and it appears that it
20 probably won't work out in that it was just the way the
21 data was shown in our five-year review report.

22 It made it look like there was this layer
23 of high concentrated lead in the shallow surface layers,
24 but when you really look at contouring the data more
25 properly, that really didn't -- it could be in the top

1 two feet or it could be in the top seven feet or, you
2 know, I forget what it was, but it could be -- the
3 interval that that five-year review showed was
4 probably -- was too narrow and it's actually much
5 thicker, yeah.

6 So that's landfill 8, and without further
7 adieu, let's move on to landfill 10.

8 FACILITATOR KERN: Can you say whether
9 that lead in that soil is going to pass the test, the
10 wet test?

11 MR. COOPER: We've got some rules of
12 thumb. We could have that -- we've got general rules of
13 thumb now.

14 I know that we didn't take any RCRA or wet
15 test on that soil samples, but we can look at the gross
16 concentrations and compare it to other sites now --

17 FACILITATOR KERN: It seems like --

18 MR. COOPER: -- To see what category it
19 falls into, yeah. Okay. Let me write that down.

20 Okay. Landfill 10. That's the other one
21 that I was talking about earlier. It's much larger, by
22 the way, than landfill 8 as far as total volume.
23 Landfill 10 is upwards to 200,000.

24 MR. ULLENSVANG: Over 240.

25 MR. COOPER: 240,000 cubic yards. So the

1 largest landfill that we have in the Presidio, and I
2 know this is not a great map, but this kind of shows the
3 two land use zones.

4 So here's the landfill, the Public Health
5 Service Hospital is over here, and there's landfill 10.
6 This is the parking lot area. Here's the entrance for
7 15th Avenue gate, I believe, coming in right dead center
8 if you go right into the old hospital building, and so
9 if you drive in from 15th Avenue, you look to the left,
10 to the west and you'll see a paved area that's kind of
11 in bad condition that slopes off.

12 That's this zone here that I talk about
13 with residential/parking lot kind of, you know, land
14 use, and then on the other side of that line is the
15 slope of the landfill that goes down steeply to Lobos
16 Creek area, and that's the land use that is recreational
17 with native plant zone.

18 Okay. So -- so then for landfill 10, we
19 have put together a whole bunch of alternatives, even
20 though I'm not showing them as -- alternative 1 is your
21 standard no action, but alternative 2, we have actually
22 a 2A all the way to a 2G, and the basic concept behind
23 alternative 2 is to move the waste around so the slope
24 is more stable and construct a permeable cover over the
25 soil and the waste and monitor groundwater.

1 So why we have an A, B, C, D, E, F, G is
2 the way we -- we move the waste around. The way we
3 stabilize the slope has different configurations and
4 different methodologies that we wanted to explain to you
5 each individual one separately and look at the pros and
6 cons of each of these different ways to move around and
7 stabilize the waste.

8 All of them have the same cover, sand
9 cover over the top, permeable cover, but each one will
10 have a different, you know, configuration of the
11 steepness of the slope and different strategies to try
12 to stabilize that slope.

13 MR. ANDERSON: Craig, wouldn't the
14 permeable cover be more subject to erosion?

15 MR. COOPER: Well, if you vegetate it, it
16 would be, you know -- both the low perm and the perm
17 cover has a soil over the top that needs to be
18 vegetated.

19 The low perm just has that layer down, you
20 know -- sunk down underneath that is -- that makes it
21 hard for rainfall to go through.

22 So both of them have erosion concerns,
23 both the perm and the low perm and that's why we
24 definitely would want to vegetate -- you know, if we did
25 cover landfill 10, vegetate it right away to help with

1 erosion control.

2 MR. ULLENSVANG: There is some difference
3 in the seismic stability between when you have a low
4 perm or a perm -- low perm or permanent cover, because
5 the low permeable layer provides a failure -- potential
6 failure plain, and so you have the soils slip off under
7 certain conditions.

8 So the engineering is a little bit more
9 complicated in how you -- how you deal with that type of
10 material, and that's evaluated in this.

11 MR. COOPER: Alternative 3A to G is
12 basically the same as 2, but with low perm cover, just
13 like landfill 8, we look at both -- both types of
14 covers.

15 Alternative 4 is the clean closure, dig up
16 the entire landfill and haul it away, and you can see
17 the cost range from the cheapest one is in -- is a
18 configuration in alternative 2, I believe, and the most
19 expensive one being the clean closure alternative 4 is
20 the high end of the cost range, but again when we issue
21 the feasibility study, we'll have a specific cost for
22 2A, 2B, we'll have a cost, et cetera.

23 So that will help us kind of balance cost
24 versus, you know, protectiveness and configurations and
25 aesthetics and all different kinds of things as you know

1 when we look at the balancing criteria for all these
2 different subalternatives.

3 FACILITATOR KERN: So under alternative
4 2, there would actually be an alternative that for five
5 million dollars just moves stuff around, doesn't move it
6 anywhere else and just stabilizes it somehow for five
7 million dollars?

8 MR. COOPER: And covers it, right.

9 MR. ULLENSVANG: And I believe that there
10 is some removal in that configuration.

11 MR. COOPER: But it's fairly minimal.

12 MS. TRIGIANI: Doug, Craig, I don't even
13 know if this is an appropriate question. I think I have
14 asked it before, but since it's so close to the
15 hospital, is there any way that an arrangement could be
16 struck with the developer of that -- of the hospital
17 site as sort of a gesture of goodwill or corporate
18 citizenship to absorb some of these costs and become a
19 partner to the trust in resolving the environmental
20 aspect of, you know, the landfill, even though they're
21 under no obligation to do so?

22 Is it outside the realm of possibility to
23 approach the developer and ask them to strike some sort
24 of a partnership in dealing with this?

25 MR. COOPER: To deal with the Army waste?

1 I haven't really asked the developer to help pay for
2 that.

3 MS. TRIGIANI: That's what we would be
4 asking them to do, you know, but is it outside of the
5 realm of possibility to do that or is it just kind of
6 total boundary crossing?

7 MR. BOGGS: I can add a little bit to
8 that --

9 MR. COOPER: Oh.

10 MR. BOGGS: -- because it's actually
11 happening in a lots of military bases where developers
12 are taking over, purchasing and developing different
13 portions of sites that are contaminated.

14 Mare Island, the developer's taken on
15 many, many millions of dollars worth of cleanup out
16 there. There's actually a federal process they have to
17 go through in order to do that as far as doing the
18 finding, the suitability for lease.

19 There's a lot of pre work that they have
20 to let all the developers know beforehand that are
21 bidding on this project way beforehand. They have to be
22 given notification that this is part of the whole
23 package that they're bidding on.

24 So after the fact, you might get a little
25 corporate gesture, but there's no binding agreement

1 there, but they can go through a formal process to
2 develop binding agreement with the private developer,
3 but it is a lengthy separate process.

4 MS. TRIGIANI: But not impossible?

5 MR. BOGGS: But not impossible.

6 MR. COOPER: Not impossible. What I
7 think there could be some opportunity and what I have
8 floated to the planning department was the -- what is
9 built on top of the cover obviously will end up going.

10 MR. DIES: The parking lot.

11 MR. COOPER: Now if we were just -- let's
12 say there was no hospital there. I know we're going --
13 this is a landfill E type discussion.

14 Landfill E is not the only site where land
15 use -- future and use and our remediation projects, they
16 all come together as they should.

17 We should be thinking about what is going
18 on at these sites and what are the future users going to
19 use it for and how do we coordinate with them?

20 And so if we were just -- if there wasn't
21 a hospital and we just, you know, wanted to find a cheap
22 way to cap a portion of the site, we could asphalt it
23 ourselves and build remediation, building a parking lot
24 over it, but we could do it in a very kind of cheap way
25 with no landscaping and no curbs, you know. We would

1 try to -- really try to minimize costs.

2 But because it is going to be an area that
3 is going to be redeveloped, obviously the trust and the
4 developer wants this parking lot to look nice, you know.

5 MS. TRIGIANI: Well --

6 MR. COOPER: And so that is the part that
7 I told them I'm not willing to pay for is making it look
8 nice part.

9 MS. TRIGIANI: Sure.

10 MR. COOPER: And that's what you're going
11 to have to pay for. You're going to put in fancy curbs
12 and light fixtures and things like that, which all makes
13 sense to me, but, you know, remediation won't pick up
14 the tab for that, but we need to talk to each other
15 because, you know, the finished product I leave them, I
16 want to make sure it makes sense for them, because I
17 don't want them mucking around and disturbing the cover
18 because, you know, Bob would be concerned at that.

19 We have to make sure that the remedy that
20 we build, that integrity stays intact and whatever gets
21 built on top of it only supplements and makes the -- the
22 remedy better or at least the same.

23 It can't make the remedy worse or --

24 MS. TRIGIANI: Let me ask it a different
25 way. If the developer came to you and said, "As a

1 gesture of goodwill, corporate citizenship and to work
2 with our neighbors, we'd like to pay for whatever has to
3 be done to this landfill" --

4 MR. COOPER: Mm-hmm.

5 MS. TRIGIANI: -- is that possible?

6 MR. COOPER: I would jump at the
7 opportunity, you know.

8 MS. TRIGIANI: So we take donations?

9 MR. COOPER: I -- I think we can -- I
10 don't know. I'd have to -- before this goes on the
11 record, I don't know exactly.

12 MS. TRIGIANI: Why don't we suggest it
13 for the minutes?

14 MR. COOPER: I'm sure we would sit down
15 and definitely talk about.

16 If we're just talking about a money
17 transfer, different than what Bob was talking about,
18 because that was them doing the work. That's a whole
19 different scenario.

20 If they're just wanting to donate money to
21 us for this project and we're the -- we retain -- we're
22 still doing the CERCLA work and Bob is regulating the
23 trust, that's a lot simpler because those roles and
24 responsibilities are the same.

25 Give them a call. I know that --

1 MS. TRIGIANI: Maybe they'll read the
2 minutes and get the idea themselves.

3 MR. BUDROE: It would take a lot of
4 corporate citizenship to come up with five to ten
5 million dollars.

6 MS. CLEEK: They don't have to come up
7 with all of it.

8 MR. BUDROE: You're talking. Those kind
9 of costs, you'd almost have to build it in the way that
10 Bob was talking about saying this is part of the
11 package. You do development. You have to do the
12 remediation, also, and then it goes into then pencilling
13 into the bottom line.

14 That's way too much money to expect that
15 somebody's going to --

16 MS. TRIGIANI: Oh, ye of little faith.

17 FACILITATOR KERN: Jan and then Karen.

18 MS. BLUM: I think this is all -- maybe
19 for me feels a little like dangerous territory, because
20 with the escalating costs of building materials at very
21 face value, I recently read on the published trust
22 minutes that they are re-evaluating the entire project
23 because costs are escalating so dramatically because of
24 the growth of Asia.

25 So I would hate to have the mediation

1 start being like a -- some kind of a tradeoff, if I do
2 this for you, will you let me have dogs throughout the
3 Presidio in the public hospital?

4 I'd hate to see this become kind of a
5 domino tradeoff where if I do this, you're going to have
6 to do that for me, because they're going to have to get
7 more rents in order to make a profit in order to build
8 this building.

9 MR. COOPER: Yeah.

10 MS. BLUM: So I would be very cautious
11 about starting negotiation.

12 MR. COOPER: Yeah.

13 MS. BLUM: It's certainly a great
14 possibility, but I'd be really -- I'd hate to see
15 remediation get as a trading chip for something that we
16 really may not want at all as a tradeoff for the money,
17 so I think it's scary.

18 FACILITATOR KERN: Karen and then Gloria.

19 MS. CLEEK: I don't think we're actually
20 asking the developer to pay the whole amount. I don't
21 see why in the negotiations with developers for various
22 sites there shouldn't be some sort of environmental fee
23 built into it if there isn't already, and I don't know
24 why they -- you couldn't ask them.

25 I've sort of heard this "well, Caltrans

1 would never give us money for Mountain Lake," and there
2 did end up being a grant for Mountain Lake, even though
3 it may it may not be used properly.

4 So it's worthwhile to explore these
5 things. You might get something meaningful out of them.
6 It is part of their area up there that they're going to
7 be selling to people. I don't mean selling the
8 property, but selling the concept to people.

9 But, you know, it might be worthwhile.
10 They might --

11 MR. BUDROE: Even there, again, doesn't
12 that come out of the Presidio Press -- the trust bottom
13 line? They can give money for remediation or they can
14 give money to the trust.

15 MS. CLEEK: I'm talking in addition to
16 whatever the cost of their project is, thinking of an
17 additional fee. I think that's what we're talking
18 about, not something --

19 MS. TRIGIANI: I'm talking about
20 something completely above board and not a quid quo pro
21 and not a back room deal.

22 MS. CLEEK: They have their development.

23 MS. TRIGIANI: Let's run this like a
24 business. That's what I'm talking about.

25 MS. CLEEK: It's like there's another

1 project here and you're asking if they would like to
2 make a donation to do that. No quid quo pro, nothing on
3 the bottom line. It's something in addition to. That's
4 it.

5 FACILITATOR KERN: Gloria and Julian and
6 Jerry.

7 MS. YAROS: Back to the rising cost, in
8 almost every one of the projects, there are one or two
9 alternatives that include monitoring groundwater.

10 First of all, do you foresee or does the
11 idea that this will be monitored in perpetuity?

12 MR. COOPER: Well, not necessarily. Even
13 if we leave waste in place, I think there could be -- if
14 we had a sufficient set of data -- and I won't put a
15 time frame on it right now, because that would be -- I'd
16 be clairvoyant to do that.

17 I could be see a point where I could go to
18 the regulators and say we have such a good set of data
19 for a sufficient period of time, that not only -- you
20 know, we would be trimming -- along the way, we'd be
21 cutting back on groundwater monitoring, but I could see
22 eventually reaching a day where we would -- the trust
23 would request to terminate groundwater monitoring.

24 MS. YAROS: And then what is your --

25 MR. ULLENSVANG: There would still be

1 some monitoring of the site. Whenever you leave waste
2 in place, there would have to be some reoccurring
3 monitoring.

4 MR. COOPER: But I could see a day
5 where -- that's why twenty, thirty years and it
6 continues to stay the same. I think that we can
7 request.

8 MR. ULLENSVANG: For groundwater, but
9 there will still be some monitoring at the site whenever
10 you have a waste cover.

11 MR. COOPER: She was just talking about
12 groundwater monitoring, though. Maybe -- I don't think
13 I'm being naive.

14 MS. YAROS: I was not referring to just
15 water, groundwater monitoring. All of these
16 alternatives, you know, at least two or three or four
17 talk about monitoring, and I'm wondering --

18 MR. COOPER: Right.

19 MS. YAROS: -- how long the trust
20 foresees this monitoring will go on, and is there -- is
21 there an amount of money that is set aside, escrow,
22 whatever?

23 MR. COOPER: Right.

24 MS. YAROS: As Jan just said, rising
25 costs and everything.

1 MR. COOPER: Yeah.

2 MS. YAROS: The trust might say we have
3 money now to monitor this, but in twenty, thirty or
4 fifty years, can the trust say, "Well, we're out of
5 money now so we can't monitor anymore and we can't" --

6 MR. COOPER: Right.

7 MS. YAROS: -- "so we, in fact, low
8 boating or something or choosing an alternative that, in
9 fact, will not --

10 MR. COOPER: No. It's a really good
11 question. For any time -- like Brian said, any time we
12 leave waste in place, any type of cover alternative,
13 there's going to be monitoring involved.

14 Some of it will be for landfill covers,
15 you got to look at -- visual monitors. We'll have -- we
16 want to make sure if there's any settlement going on,
17 and groundwater monitoring.

18 All -- you know, some form of monitoring
19 would go on in perpetuity because we want to make sure
20 -- we got to show that the protectiveness of the remedy
21 is good long-term.

22 Now the way we cost out the monitoring
23 aspects is in -- you know, for the cover alternatives.
24 It's costed out for the long-term, and so I see my job
25 is to make sure if we do select the landfill cover

1 alternative, that that amount that is in that remedy,
2 there will be a part for capital cost to build the cover
3 and then apart from monitoring cost that I make sure
4 that I hold back money, you know, of the hundred million
5 that I keep a long-term trust fund, let's call it, for
6 monitoring; not only landfill 10, but any other site
7 that -- where monitoring is required, you know, in DTSC
8 or regional board remedy, including landfill covers or
9 land use controls. We need to hold money back for
10 monitoring.

11 If that money runs out, then our general
12 funds would have to cover that. That's an environmental
13 responsibility that -- with regulatory enforcement that
14 we'd have to live up to our obligations.

15 MS. YAROS: So then choosing any
16 alternative that includes monitoring means that we're
17 really putting a lot of trust in the people who will
18 come after us, and assuming that they will always do the
19 right thing, and there will always be money to do that
20 thing.

21 MR. COOPER: Right.

22 MS. YAROS: It leaves me feeling a little
23 insecure about those alternatives.

24 MR. COOPER: Mm-hmm.

25 MS. YAROS: Human nature being what it is

1 and the economy being what it is.

2 MR. COOPER: Right.

3 MS. YAROS: Not really likely to continue
4 at that very high standard in perpetuity.

5 MR. COOPER: You're afraid that people
6 might try to raid the trust fund for the monitoring?

7 MS. YAROS: Even if they don't raid it,
8 money runs out. Things happen.

9 MR. COOPER: Mm-hmm.

10 MS. YAROS: Things escalate.

11 MR. COOPER: Even if the money runs out,
12 I'm hoping that the annual monitoring costs of what the
13 remediation program is behind is not so onerous that it
14 could just become an annual cost that the Presidio Trust
15 would -- would budget for every year.

16 MS. CHEEVER: In addition, wouldn't this
17 be enforced by the regulators?

18 MR. COOPER: Exactly.

19 MS. CHEEVER: The trust would be legally
20 responsible or liable.

21 MS. TRIGIANI: The same could happen with
22 the regulators.

23 MS. YAROS: If there's no money, there's
24 no money. People have best intentions.

25 FACILITATOR KERN: Julian.

1 MR. HULTGREN: Is each of the
2 alternatives compatible with what is planned or what
3 will be developed on the property, both the parking lot
4 and the rest of the property? And if not, how are you
5 going to find out?

6 MR. COOPER: Well, that is -- we -- last
7 year when we were meeting with all these different
8 folks, that was definitely one of the topics we talked
9 about.

10 We presented, you know, various
11 alternatives and configurations and -- how will this fit
12 with your land use. That's both for the parking lot
13 side and on the native plant side.

14 So -- talking with these resource people
15 and planners, we've got a pretty good idea of which ones
16 best fit their long-term land use needs and which ones
17 don't fit so well, and that will be talked about in
18 the -- in the feasibility study.

19 MR. HULTGREN: Did you meet with the
20 developers or somebody who's going to develop?

21 MR. COOPER: I had a couple of meetings
22 with a contractor for the developer, you know,
23 basically, you know, -- and we had like EKI, Golder,
24 just for that communication about, you know -- if we did
25 build the landfill cover here, you know, are you -- is

1 it going to be a parking lot and what's your plans for
2 the parking lot? So, yeah, those communications have
3 started, as well.

4 MR. HULTGREN: Mm-hmm. So it is
5 compatible with whatever they might do?

6 MR. COOPER: There are alternatives in
7 there, yes. The cover alternatives, for example, are
8 compatible.

9 MR. HULTGREN: Are they all compatible
10 or --

11 MR. COOPER: Off the top of my head, I --
12 I don't remember.

13 MR. ULLENSVANG: I know from a natural
14 resourcing side, some are more compatible than others.

15 MR. HULTGREN: So you have to find out
16 whether these are compatible and what is planned to be
17 developed there before you can decide whether -- which
18 of these to do feasibly?

19 MR. COOPER: Definitely. The feasibility
20 study will have probably several subalternatives
21 under -- the cover alternatives that will be compatible
22 on both the parking lot side and the natural resources,
23 the native plant side.

24 MR. HULTGREN: And the hospital remodel
25 side?

1 MR. COOPER: That's parking lot. That's
2 what I meant by the parking lot side.

3 MR. HULTGREN: Okay. All right.

4 MR. COOPER: Yeah.

5 MR. HULTGREN: Thank you.

6 MR. COOPER: We asked them how big a
7 parking lot, you know, and there was a lot of pushback.
8 We didn't say well -- we're like "why do you say that?"
9 Because we had this other land use on the other side,
10 you know, with certain needs, also.

11 So hopefully we're finding a good balance
12 between those two land uses.

13 FACILITATOR KERN: Gloria.

14 MS. YAROS: Well, that reminds me --
15 Julian's question just reminded me of this recurring
16 thought that I have with these presentations, and that
17 is that I don't understand -- well, the advisability of
18 discussing all of these alternatives -- this came up
19 before when we were talking about landfill E a couple
20 months ago, and I think it's maybe counterproductive,
21 even, to discuss, you know, all of these all
22 alternatives when if we knew what that land use was
23 going to be there or what that particular site was going
24 to be used for.

25 It seems to me we could make a much more

1 intelligent decision as to what alternative we should
2 use.

3 MR. COOPER: Right.

4 MS. YAROS: Aren't we in fact putting the
5 cart before the horse? I don't know, maybe the cart
6 might be behind the horse, but we don't have enough
7 information to make an intelligent decision.

8 MR. COOPER: Just like landfill E. We
9 know what the land use is. There will be several
10 alternatives that will meet future anticipated land use.

11 It could be this slope with the parking
12 lot on top and that will be future an anticipated land
13 use. The parking lot might be this slope with a parking
14 lot on top and that will be future anticipated land use.

15 So there's several roads to get to an
16 acceptable future anticipated land use scenario, and
17 that's what our discussion will be about which road
18 should we take to get there.

19 MS. YAROS: Well, it seems that there
20 would be a greater economy of time if we knew for sure
21 what it was going to be.

22 MR. ULLENSVANG: I think the one downside
23 to working that way -- and this is a hypothetical, but
24 let's say the developer said, "We need a hundred parking
25 spaces."

1 Our land use essentially, we have to have
2 a hundred parking places, where it might be that eighty
3 parking places is five million dollars less than a
4 hundred parking places to configure the landfill, in
5 which case for five million dollars, the developer might
6 be fine with the parking places.

7 So by understanding some of the ranges,
8 you can help identify that there will be extreme cost
9 growth for certain times that you can avoid those and
10 come to a compromise, because what we learned is setting
11 these alternatives, none of the alternatives fully meets
12 all of the objectives.

13 Some are better in some regards. Others
14 are better in other regards. There's a compromise
15 associated with every alternative, and there's tradeoffs
16 both to the qualities associated with the features of
17 the alternative and of course money.

18 So some cost much more than others without
19 much benefit. Others -- some actually cost more and
20 have less, and so -- but understanding that, then the
21 trust can come in and -- and package something that does
22 the best job at the compromise, and everyone will have
23 to compromise on the site.

24 Whereas if you just let one party choose
25 what was best for them and the other parties, an

1 interest might have to compromise significant amounts.

2 MR. COOPER: Right.

3 MS. CLEEK: Within the alternatives for
4 landfill 10, all of them in some way meet the intended
5 land use. There's nothing in there that would preclude
6 the intended land use.

7 MR. COOPER: Mm-hmm.

8 MS. CLEEK: So you're sort of -- by not
9 including something that is contrary to where you might
10 be going. So all your selections in some way involve
11 these compromises as opposed to totally going against
12 what will be there.

13 MR. COOPER: Correct.

14 MS. CLEEK: Yeah,

15 MR. COOPER: Right. Different forms of
16 compromise.

17 MS. YAROS: In some cases, but there are
18 other cases that seem to me that that cannot -- you
19 know, that cannot be true, for instance, at landfill E,
20 you know.

21 MR. COOPER: Right -- well with --

22 MS. YAROS: There's either going to be a
23 playground or not. It would certainly affect any
24 opinion that's going to go on there. Mountain Lake is
25 another site.

1 MR. COOPER: But even at landfill E, we
2 had different forms of compromise. Now different forms
3 of compromise have different price tags associated with
4 them, as well, but that -- that's true for landfill 10,
5 as well.

6 MS. YAROS: Yeah.

7 MR. ULLENSVANG: And we'll have an
8 opportunity at one of the committee meeting sessions to
9 go through the A through G on the alternative 2 or 3 and
10 try to explain some of the features that were
11 highlighted in the subalternatives, which was the idea
12 of crafting this number is that each -- each sub-
13 alternative highlighted or emphasized one feature, so
14 you can compare what does it cost to change the slope in
15 the north and what does it cost to move the total
16 landfill back in the north or in the south.

17 So those things were tried to balance out
18 so that people can actually make an informed opinion.

19 MR. COOPER: Right. You will learn about
20 how these things work together.

21 MR. YOUNG: The danger of that, too, is
22 once you'd decided it's a parking lot, those clean
23 closure costs could include the cost of bringing in 230
24 cubic yards of fill.

25 MR. COOPER: Excellent question. I

1 believe the way we're going to handle it is the same way
2 we will -- we handled it at landfill E. We'll show it
3 as a separate line item.

4 We're not going to say that remediation is
5 paying for it, per se, but it's part of the cost of the
6 remedy would be to -- to comply with the land use, to
7 make that remedy functional.

8 MR. ULLENSVANG: In this case, it
9 wouldn't be all 230 yards. It would be 230,000 yards.
10 It would be some smaller number to create a level area.

11 MR. COOPER: But he was saying if we did
12 go for the full clean closure.

13 MR. ULLENSVANG: You wouldn't bring the
14 entire volume back; correct.

15 MR. COOPER: Right. We wouldn't need the
16 whole 230 to go back and build a parking lot.

17 MS. TRIGIANI: Could the trust mandate
18 that those funds -- who protects the hundred million,
19 then, from the -- someone saying well, this has to come
20 out of remediation when it is not technically a
21 remediation cost.

22 MR. COOPER: Well, for the most part, but
23 there's --

24 MS. TRIGIANI: So if the trust board said
25 to you it's coming out of remediation --

1 MR. COOPER: Well --

2 MS. TRIGIANI: -- you could argue that.

3 MR. COOPER: I would argue it, sure.

4 It's a free country.

5 MR. SUTTER: It is?

6 MR. COOPER: I have in my mind.

7 FACILITATOR KERN: That's another agenda
8 item.

9 MR. COOPER: I have in my mind what --
10 you know, what -- what I'm trying to balance when I work
11 with other departments is doing -- doing the right thing
12 as far as making things work in the Presidio park and --

13 MS. TRIGIANI: Sure.

14 MR. COOPER: -- combining and
15 coordinating and planning ahead.

16 Balancing that with protecting the money
17 for non-remediation cost items, and --

18 MS. TRIGIANI: Who has the final say?

19 MR. COOPER: Final say. I would say
20 Craig -- if I got into a fight with the planning
21 department, I would go up to Craig Middleton, I guess.

22 We would brief -- we would both brief
23 Craig Middleton.

24 MS. TRIGIANI: Okay.

25 FACILITATOR KERN: Jan.

1 MS. BLUM: I'd like to know if we start
2 with the premise that the developer needs a hundred
3 parking places and work backwards or we work from
4 remediation and go forwards, because there's a big
5 difference between five million and eighteen -- sixteen
6 million.

7 MR. COOPER: The sixteen is for the
8 complete clean closure alternative 4.

9 MS. BLUM: Okay.

10 MR. COOPER: And the alternatives, cover
11 alternatives are -- are in the four to -- I don't
12 know -- the five million dollar range, the 4.9 to 6.

13 MS. BLUM: Let me try to reformulate my
14 question. Sort of similar to what Mary was getting at
15 earlier.

16 If we did the just bare minimum asphalt
17 parking lot because we remediated up to the letter of
18 the law and did our duty as we're required by law, then
19 would the developer -- then would the developer take --
20 if he wants -- he or she wants a hundred parking places
21 in the skinny little asphalt strip, would they do
22 additional work or would we be paying for that?

23 MR. COOPER: Well, they would. That's
24 my -- that's where I'm drawing the line.

25 MR. ULLENSVANG: I think we're saying

1 that in these -- in this particular situation that
2 hypothetically isn't really true, that it isn't
3 necessarily that the cheaper alternative provides less
4 parking places.

5 MS. BLUM: Okay.

6 MR. ULLENSVANG: Because it has to do
7 with how you configure the landfill slope. These
8 alternatives provide different degrees of flat spot on
9 top of it, and it's not always that the cheaper one
10 provides more or less.

11 MS. BLUM: But they're all in line with
12 the parking lot. The parking lot is the --

13 MR. ULLENSVANG: It's one of the users.

14 MS. BLUM: Use.

15 MR. ULLENSVANG: There's several
16 competing in some cases and other times not competing
17 users or stakeholders involved in the different things.

18 MR. COOPER: Right.

19 MR. ULLENSVANG: Natural resources is
20 involved.

21 MR. COOPER: Right.

22 MR. ULLENSVANG: The parking lot is
23 involved. There's a balancing between those. It's not
24 necessarily --

25 MR. YOUNGKIN: The overlook.

1 MR. COOPER: -- the overlook.

2 MR. ULLENSVANG: The overlook is one.
3 There's a number of other things. The feasibility study
4 won't talk about those and try to help -- one of the
5 goals here with these alternatives was to try to
6 identify the major interests involved in a variety of
7 alternatives and bring those into discussion so people
8 could associate with an interest that they might have
9 and see how it works for different alternatives.

10 So if someone was interested in parking,
11 they can read about how that -- the different
12 alternatives help or hinder parking.

13 If somebody is interested in a variety of
14 natural habitat, you can see how the different
15 alternatives help or hinder a variety of natural
16 habitat.

17 If someone is interested in perceived
18 aesthetics of the site, some of the alternatives will be
19 much more aesthetically pleasing than others and those
20 will be highlighted in the range.

21 MR. COOPER: Right.

22 MR. ULLENSVANG: We felt that was
23 important for neighbors.

24 MR. COOPER: Exactly. Not only for you
25 guys, but the neighbors are going to be so interested.

1 MR. ULLENSVANG: In just how it looks to
2 neighbors. So the goal here more so than many of the --
3 the feasibility of the trust has gone is try to
4 represent the competing -- many times competing
5 interests and show how the tradeoffs are in the
6 balancing of the alternatives, and unfortunately it just
7 wasn't that simple as pay more, get more parking.

8 MS. BLUM: Well, my experience in the
9 scoping process and the design process and these other
10 processes that you go through is you really don't have a
11 really clear-cut choice, that something is assumed as
12 part of that process to begin with and you'd already
13 given up something just to start at square one.

14 So it's always good to --

15 MR. ULLENSVANG: There were some
16 assumptions. There was the assumption that there would
17 be parking at the top.

18 MR. COOPER: Yeah.

19 MR. ULLENSVANG: There was assumption
20 that there would be natural habitat on the slope, and
21 then that became some balancing right there.

22 And there was the assumption that the
23 aesthetics would be important to many people at the
24 site, and that comes in also to the assumption that the
25 site had to be stable under seismic conditions to meet

1 the current regulations of the State of California.

2 Because some of the alternatives are very
3 expensive, some of the alternatives which provide value
4 in the other -- the natural habitat or parking are very
5 expensive from a seismic point of view, and so it was
6 very complicated, and that's why there's so many
7 alternatives to try to highlight some of those features.

8 FACILITATOR KERN: Before we continue
9 this for the next, you know, week without adjournment
10 even eating or anything, because I think it's very
11 important, we're talking about this kind of in an
12 abstract way because we don't have -- know all the
13 alternatives.

14 We don't have all the costs and we need --
15 because I have a lot of questions like I think all of
16 you have, and I'm really, you know -- I'm kind of
17 shocked by the costs of these alternatives, and I really
18 want to see what we're going to get for that, because
19 we've gone from the record of decision that said nothing
20 needed to be done to now maybe ten million dollars'
21 worth of stuff here that it's going to be important to
22 look this stuff over and see what has apparently been an
23 incredible amount of work, which I want to commend the
24 parties for examining those and coming up with all these
25 alternatives and I'm very interested to look at those

1 and hopefully give us some time to examine those.

2 So we'll be looking forward to seeing the
3 document when it comes out. Maybe you have a last
4 slide.

5 MR. COOPER: Next steps, perfect segue,
6 so the trust and the park service are going to begin --
7 we've now rewritten the feasibility study.

8 Again we wrote one early last year. We
9 did a lot of work in the meanwhile. Now we're going to
10 take a look at it again.

11 Hopefully this one has a much better
12 result from our internal review and as we think it will,
13 because we're much more meticulous than coordinating
14 with each other on this one, and we hope to get a copy
15 of this F/S out to you and the agency, you know, no
16 later than June, and that's when we would sit down in
17 June or July and have the same type meeting, but this
18 time when you see alternative 2A, we'll talk about them
19 in more detail.

20 You'll see a cost and we can talk about
21 what are we balancing those costs, what are we getting
22 for those costs and it will be a nice long meeting
23 because we got A to G to talk about, but that's what
24 will happen in the June -- that's what will happen this
25 summer, and --

1 FACILITATOR KERN: Maybe you can give
2 that stuff to us in advance prior to the meeting so we
3 can --

4 MR. COOPER: That's a good idea. It will
5 be a lot of information. Get it maybe to you hopefully
6 by late May or at least a couple weeks in advance, and
7 we can decide whether we want to have the discussion at
8 a RAB meeting or a committee meeting, but -- so we'll
9 talk about the F/S in more detail over the summer and
10 then we take all that and start working on the RAP for
11 these sites and we hope to get a RAP together by the end
12 of this year.

13 That's pretty optimistic, and then go into
14 public comments on the RAP sometime early next year.

15 So --

16 MS. CLEEK: I want to ask a really naive
17 question, but how does it go out for public comment
18 beyond the RAB?

19 MR. COOPER: Uh-huh. We have a fact
20 sheet that we mail out called a proposed plan and it
21 goes to a mailing list of about a thousand folks, I
22 believe.

23 There is like 200 to 300 on our mailing
24 list, but we also -- everyone who lives in the Presidio
25 gets a proposed plan fact sheet and we also put -- as

1 required by the regulations, we put notices in The
2 Chronicle and other newspapers like the Bay Guardian and
3 we've put it in weeklies, as well, and advertising the
4 availability of the proposed plan and the draft RAB, and
5 then we have a public -- and inviting people to come to
6 a public meeting.

7 So that's how -- and it will be in the
8 Presidio Post, also, which has a readership of 15,000, I
9 think, or something like that.

10 MS. CLEEK: When was the last public
11 meeting on a remediation project?

12 MR. COOPER: It would have been on RAP 2,
13 and it occurred --

14 MR. DIES: Eighteen months ago.

15 MR. COOPER: Eighteen months ago?

16 MS. CLEEK: So they don't happen very
17 often.

18 MR. COOPER: No.

19 MS. CLEEK: Okay.

20 MR. COOPER: We're trying to have one on
21 RAP 3 this year, if we can -- we'll talk about that
22 after the break.

23 FACILITATOR KERN: So we would like to
24 ask to have a break and we'll reconvene in ten minutes.

25 (Recess taken).

1 FACILITATOR KERN: So I'll ask Craig to
2 focus on the highlights of this report, but I think
3 there's several things in here I've glanced through that
4 seem of interest, so onwards.

5 MR. COOPER: Okay. I'm going to do the
6 monthly updates. So that's the handout which I know I
7 did six to a slide thinking that it was going to show up
8 there. I know it's hard to read, so bear with me on
9 that.

10 So --

11 FACILITATOR KERN: Did you have responses
12 to our --

13 MR. COOPER: We can do that, as well. I
14 didn't quite -- no excuses, but I had such a crazy day,
15 you can see I almost got there, but I didn't quite get a
16 chance to finish it.

17 So I can talk you through it or if I could
18 just at the next committee meeting, then -- as you can
19 see, you guys have written me a letter, a comment letter
20 on the preliminary draft of RAP 3 and I'm writing a
21 letter back, comment by comment, and -- but
22 unfortunately I don't have a handout on this. I didn't
23 quite --

24 FACILITATOR KERN: My preference would be
25 to not just go through your response on that, because

1 I'm sure you've put a lot of consideration to it.

2 So maybe that as a proposal, maybe you
3 could e-mail it to us just prior to the committee
4 meeting. We'd be able to read it and then come
5 prepared.

6 MR. COOPER: Okay. Maybe the draft
7 letter.

8 FACILITATOR KERN: Yeah.

9 MR. COOPER: I have everything there, but
10 it should be eighty percent down.

11 MR. DIES: You saw four drafts of our
12 letter to you.

13 FACILITATOR KERN: That's right.

14 MR. COOPER: Okay. More productive.

15 FACILITATOR KERN: Yeah.

16 MR. COOPER: Great. That will be -- are
17 you okay with that?

18 MR. ULLENSVANG: (Nods head
19 affirmatively).

20 MR. COOPER: E-mail draft. Okay. Good.
21 That took care of that.

22 So do you want to do monthly updates?

23 FACILITATOR KERN: Yeah. There's at
24 least one slide in here I may ask a question.

25 MR. COOPER: Okay. So I'm doing the

1 handout with the six slides per -- okay.

2 So the first slide is on landfill E, focus
3 feasibility study, and as you know, we sent out the F/S
4 without a recommended alternative late last year, and
5 the actual deadline to DTSC was March 30th for the F/S
6 with the recommended alternative.

7 I asked DTSC for a little two-week
8 extension. Now the F/S is in production. It should be
9 in the mail by April 15th, which is this Friday or very
10 shortly thereafter, and at the last committee meeting,
11 per notes, I talked about -- I think it was alternative
12 4A, which is the alternative that the trust is
13 recommending in the landfill feasibility study.

14 We talked about that at the last committee
15 meeting, and I'm sure we'll talk more when it comes out.

16 Okay.

17 FACILITATOR KERN: Could you just
18 describe to people who've never been there what 4A is,
19 what it actually is?

20 MR. COOPER: 4A is the landfill cap
21 remedy where we pushed the waste, we consolidate the
22 waste that's over on the west side of the landfill over
23 and we -- our goal would be to have a restoration on the
24 west side of the landfill where we'll divert the
25 tributary, Tennessee Hollow storm water would have this

1 riparian feature on the west side of the site and the
2 landfill cap on the landfill itself with monitoring and
3 so on.

4 So it's -- that's alternative 4A. We've
5 done schematics of that before.

6 FACILITATOR KERN: So is there no
7 excavation of any material, then, in that alternative?

8 MR. COOPER: Excavation? No. I don't
9 believe so.

10 FACILITATOR KERN: So all -- all
11 consolidated and contained at the --

12 MR. COOPER: Under a RCRA low perm cover,
13 yeah.

14 MR. ANDERSON: Under the vault.

15 MR. COOPER: Under the vault, right.

16 Okay. Small arms firing ranges, nothing
17 really new there. We have that new site at building 649
18 that we want to sample that in the basement, and the
19 basement is flooded right now, but when it dries out,
20 we'll take some soil samples and see how much lead,
21 metals in the soils in that basement.

22 Then the next slide is on -- I'm going to
23 kind of go back and forth on landfills 8 and 10, we
24 talked about that, and we're going to really try to push
25 to get the feasibility study out this summer and have

1 more detailed discussions with the RAB about that
2 feasibility study this summer.

3 Mountain Lake, we are putting together --
4 you know, we collected a bunch of sediment samples late
5 last year and now we're putting together a data report.

6 We plan to get that out to the agencies in
7 the RAB this summer, and then that data report would go
8 to CDM, which is my consultant on RAP 5, so we can start
9 working on the RAP document for Mountain Lake.

10 And then we're doing, you know -- in RAP
11 3, which -- which is the next topic, we have -- we
12 investigated several of the RAP 3 sites to better help
13 with their design, and that is going on, and for the RAP
14 3 in general -- huh. Okay.

15 RAP 3 in general, we've been working with
16 DTSC and we got your comment letter, so I need to write
17 you guys back and I'll be getting a letter from DTSC
18 soon and I'll need to write them back.

19 There will be some revisions to RAP 3 and
20 then hopefully after we get those revisions in place, it
21 can go to the next step or formal public comment.

22 Okay. Next page, page 2. On the Mountain
23 Lake tee grant, I talked to you guys about the draft
24 project statement.

25 I brought my consultants from CDM and we

1 discussed that on how to basically got two -- two
2 projects in the project statement, one for Highway 1
3 storm water runoff and one regarding what's called West
4 Pacific Avenue over on what's called the east arm of
5 Mountain Lake.

6 That project statement is going to get
7 sent to Caltrans this month for sure, maybe even as
8 early as next week, and Caltrans will be reviewing that
9 for grant eligibility and make some determinations about
10 which project they would want to approve as grant
11 eligible.

12 So for fill site 6A, we have finished the
13 utility relocations that all these various utilities
14 were going through and underneath that particular
15 landfill.

16 We have also -- the last little kind of
17 planning department that was missing on this, since we
18 already have the lap signs, we have the remediation
19 contractor already procured and on board and the last
20 missing planning document was this restoration plan
21 about erosion controls and how the creek is going to get
22 constructed and -- and kind of like the final completion
23 grading plan for the landfill and the creek construction
24 design, and that has now been out for a couple weeks and
25 we'll be in contact now with DTSC and the Regional Board

1 making sure that they're comfortable with that
2 particular document and that DTSC is comfortable with
3 the remediation strategy overall for the whole landfill
4 because we really need to get started in late May or
5 early June because it's going to take sometime, you
6 know, because remember last year, we postponed this
7 project.

8 We were getting really close to getting
9 all the planning documents ready, but we were -- in the
10 fall by then, it was fall of last year and we decided it
11 was way too risky to start digging out fill site 6,
12 and -- because we knew we'd be going right into the
13 rainy season.

14 So we need to start in May or in early
15 June at the latest so we can dig out the landfill,
16 daylight the creek, you know, pull that pipe and build
17 the appropriate erosion controls at this site before the
18 heavy rains start, you know, in October and, you know,
19 November time frame.

20 So I think that I met with Jim and Bob
21 about that today and I think we're in pretty good shape
22 to start that managing.

23 So Baker Beach 3 and 4, as you know, those
24 projects are done and we're writing the construction
25 completion report, and Lew and -- is working on the site

1 restoration, getting the site revegetated.

2 Baker Beach 1/2 is of course, as you know,
3 a super complex remedial design that we've been working
4 on for over a year now, and one thing that we had to do
5 is we had to do a -- a separate fill investigation which
6 is underway right now and we needed to collect
7 information regarding geotechnical information.

8 So stability of -- of the landfill so when
9 we dig it out, and to better understand the cultural
10 resources at this site to make sure we comply with the
11 National Historic Preservation Act.

12 That's why we had to do an additional
13 investigation right now. We'll take that information
14 from that additional investigation, put our final
15 designs together and work on -- hopefully start the
16 Merchant Road relocation project is going to start in
17 August, and that is kind of like a concurrent project
18 that's going to free up some additional staging area for
19 us once Merchant Road gets realigned, and then after
20 that, we can actually start the cleanup work, which is
21 going to be done in two phases.

22 The first phase will be just digging out
23 the -- the waste up on the bluffs of the -- of the -- at
24 these sites, and then we'll finish that off and then --
25 then start working on the cliff side.

1 So I'll be very, very happy to get that
2 project started since it's had such a complex and long
3 lead time as far as getting the, you know -- all the
4 planning documents together.

5 So we have some photographs of these -- of
6 this -- what's called -- is that the Spider?

7 MR. ULLENSVANG: Spider, yes.

8 MR. COOPER: I know the photograph's not
9 great, but that picture that you see, that's Baker Beach
10 1A test pit, and the second test pit.

11 It looks like a regular old conventional
12 back hoe, but it's really not. It's actually on this
13 kind of -- track mounted on the device that helps it
14 maneuver down very difficult and steep terrain, so I
15 know the photograph -- if we had been able to put it up.

16 I'll carry these pictures over for the
17 next RAB presentation so we can see it, and we -- our
18 testing this out, not only for our investigation right
19 now of these sites, but if this type device works well,
20 we may use this exact same type device to dig up the
21 waste material that's in difficult places to reach for
22 conventional technology.

23 Anything else to add on that, Brian?

24 MR. ULLENSVANG: No. They'll be out
25 there all this week, as well, for people that are out in

1 that area.

2 MR. COOPER: Yeah, so if you want to park
3 there and check out that particular piece of technology,
4 it's pretty interesting the way it can get around.

5 As you can see, it's hard to tell from
6 this picture, but it's gone way down the --

7 MR. ULLENSVANG: It's like a small
8 excavator on four legs with wheels.

9 MR. COOPER: Kind of Star Wars type,
10 yeah.

11 MS. BLUM: Something out of George Lucas.

12 MR. COOPER: We should have George Lucas
13 take a look at the Spider excavators.

14 MS. TRIGIANI: Maybe he'll give a
15 donation.

16 MR. COOPER: Here's my RAP 3 slide.
17 That's why I got all confused. It got out of order
18 somehow. Two things go on at RAP 3. We've been talking
19 to DTSC about RAP 3 and then also, you know, there's a
20 chapter missing from RAP 3 as you pointed that out in
21 your comment letter, and that's going to go out this
22 week.

23 We got park service concurrence on that.
24 So what we call chapter 18, which are the two RAP 3
25 sites that are down by the commissary PX area, that

1 chapter will go out this week, and then every single
2 chapter in RAB 3 will now be out, you know, for everyone
3 to look at.

4 Speaking of commissary PX, you know, we've
5 had a draft RAP -- draft cap corrective action plan out
6 there for quite a while, about six to nine months now.

7 We've gotten a lot of comments on that.
8 It's taken us quite a bit of time to rethink our overall
9 strategy, carefully consider everybody's comments and
10 come up with the best kind of revised, you know, cleanup
11 strategy for the commissary PX, which is really
12 something that addresses everyone's comments.

13 So we're really close, you know. We're
14 going to be giving something to Brian later this week or
15 very early next week, and so I'm pretty confident that
16 I'll be able to present, unveil what a revised strategy
17 is under the commissary PX cap at the next RAB meeting.

18 I think it was scheduled to happen this
19 one, but we didn't quite get it ready in time.

20 So also, you know, there's a 1065 cap,
21 which will be coming up this summer as you can see.
22 It's due to the Regional Board on June 30th, so that's
23 going to be an important document, and the next slide,
24 the last slide on this one, 1349 cap is already -- it's
25 undergoing public review, RAB review right now, and I

1 talked to you about this, to Bob and Jim, that we'd like
2 comments on this cap by April 30th.

3 And then the last cap, corrective action
4 plan that we have at the Presidio is for the 207/231
5 area, and it's due July 15th. So this summer we're
6 going to have a lot of caps going on, a lot of
7 discussion about those.

8 At the mustard agent bottle site, as you
9 all know, we got this letter from Bruce Handel. It's my
10 responsibility to start -- I need to put together a
11 draft response. I haven't started it yet.

12 I got to do that, and in fact I got to get
13 a draft response by the -- I want to get it, because I
14 promised you guys that I'd sent out send out a draft of
15 this letter before I send it out to the Army.

16 I want to do that before the May meeting,
17 because we've invited the interested citizens. I think
18 I mentioned it before, e-mailed and called Bob and Bruce
19 Handel himself. He wants to come to the May meeting and
20 discuss this issue.

21 So I think it would be good if we had a
22 draft letter that we could be talking about at the same
23 time.

24 MS. TRIGIANI: What are the nature --
25 what's the nature of his interest? Can you describe it?

1 MR. COOPER: Yeah. He -- basically he's
2 frustrated that it's taking so long, that the fence has
3 been up for a long time now and not for lack of public
4 access to the redwood trees, which is -- he says it's
5 one of his favorite spots in the Presidio, so general
6 frustration about the --

7 MS. TRIGIANI: Okay. Thanks.

8 MR. COOPER: Okay. So there you have it.
9 Did I just go through all the pages?

10 MR. ULLENSVANG: The last thing.

11 MR. COOPER: Last slide is presently
12 released documents. Okay. That lists things that have
13 recently been sent out. Nothing all that new. The
14 draft contingency cleanup report on Birmingham Street.
15 That was like a big steel distribution pipeline removal.
16 Everything else I think you're familiar with.

17 FACILITATOR KERN: I could report that
18 the administrative working group looking at the budget
19 was going to meet yesterday. That was cancelled due to
20 one of the members of the group not being available, and
21 so they're going to meet a week from tomorrow to talk
22 about the tracking.

23 So because of the time, I don't really
24 want to plague anyone with talking about landfill E, but
25 I think there's a question in my mind that at least I

1 can throw out the question, let it -- let you dream
2 about it at night and then -- I'm -- given all the work
3 that we put in to looking at hybrid alternatives and
4 things that would have met a lot of the community's --
5 at least this community's interests, I'm concerned and
6 interested in the explanation about why there wasn't
7 more -- why didn't you go that direction?

8 So maybe you don't need to answer it.
9 There's probably a lot of questions that people have,
10 but --

11 MR. COOPER: Yeah.

12 FACILITATOR KERN: -- I happened to leave
13 before that was announced, so I probably would have
14 asked at the meeting, so --

15 MR. COOPER: Right. Well, at the
16 meeting, I went into a fairly detailed explanation of
17 what was, you know, kind of tipped the scales for the
18 trust, and I think that we should dedicate a full agenda
19 item to this.

20 FACILITATOR KERN: All right.

21 Thank you for your -- these presentations
22 tonight, and the work, I'm sure that people will be
23 interested in going out to that Baker Beach 1 site since
24 it's interesting to see that Star Wars stuff.

25 The regulatory agency agencies. Bob and

1 Jim.

2 Bob, anything?

3 MR. BOGGS: Just add that we've had three
4 meetings so far, probably three-hour meetings each at
5 least regarding RAP 3 so far and we're plowing ahead and
6 will probably have another meeting, so hopefully we'll
7 just go ahead.

8 Other than that, nothing special.

9 FACILITATOR KERN: Jim.

10 MR. PONTON: I just want to report that
11 last month's RAB a month ago, in your comment letter on
12 Lobos Creek, I became aware of the issue with the storm
13 water discharges to the creek of potentially untreated
14 sewage during high flow events.

15 I was never aware of that issue, and
16 following the meeting on the following day, I went to
17 work and I met with our division chief with MBDS and we
18 started contacting SF PUC, and the week after that, they
19 video surveyed the line and last week they abandoned the
20 line. They sealed it.

21 So that's complete, and we may seek
22 enforcement action, but that's between our division
23 chief and SF PUC.

24 So I just want to report back. I know RAB
25 members were concerned what the Water Board would do

1 with that information and we moved forward on it and got
2 things done. Thanks.

3 FACILITATOR KERN: Thank you, Jim.
4 Julian.

5 MR. HULTGREN: I just want to thank Jim
6 for the rapid response to that issue and also
7 congratulate you on getting the City to take some
8 action, which certainly isn't the easiest thing in the
9 world. Thanks a lot.

10 MR. SUTTER: So that line has been
11 plugged?

12 MR. PONTON: The line's been cemented,
13 and I just want to add that if any of you observe
14 anything unusual, to please use this as an opportunity
15 to report it to me or to Bob or to the trust because I
16 was surprised to really see that in that letter.

17 I didn't realize that that was an issue
18 and -- nor did anyone in our office, and we could have
19 probably -- I know we could have taken action in a much
20 sooner -- at an earlier date had we known what was going
21 on.

22 So we can't really always help if we don't
23 always know what's going on. So I --

24 FACILITATOR KERN: We appreciate that
25 very much, Jim, and at the time we had reported it to

1 all the appropriate authorities and it went -- either
2 dropped through the cracks or was selectively just sort
3 of moved to the side or whatever they did.

4 They did act on one of the sewer
5 crossings, but that also took several years for the City
6 to -- and this issue just because the other one was more
7 important or more impressive, this one just kind of got
8 shelved.

9 MR. PONTON: Yeah, well, we deal with
10 storm water and sewage and we deal with all those things
11 at the Water Board, so it's not -- so any time -- and if
12 we don't handle that, we would shepherd it to the right
13 agency.

14 So I just want to re-emphasize that to let
15 us know what's going on before it becomes a problem.

16 MS. BLUM: I'm not exactly sure where the
17 sewer line came into Lobos Creek, but a couple of months
18 ago when I was working in Lobos Creek, we saw a part of
19 what looked like a retaining wall or something from the
20 Lake Street side had fallen halfway down the embankment
21 and there was a tree down that was falling into the
22 creek.

23 Is that the -- is that still there or did
24 you see it? Is that where 22nd Street problem is?

25 MR. PONTON: I don't -- I can't answer

1 that.

2 FACILITATOR KERN: I think I've seen what
3 you're talking about. That's not near the 22nd.

4 That's --

5 MS. BLUM: That may be another problem,
6 and this was -- gee. I think I saw this really before
7 this batch of rain that we've had it seems like three
8 months.

9 It could have been a couple of months ago,
10 but it looked like a piece of concrete retaining wall or
11 somebody's patio or something had fallen down on the
12 Lake Street side.

13 It was halfway down the embankment. It
14 was a big chunk of concrete, a big chunk, table size and
15 a tree had fallen down.

16 So I don't know what the chain of events
17 were, but it was in Lobos Creek.

18 MR. PONTON: Right.

19 MS. BLUM: The tree was in Lobos Creek.
20 So I think the steward on that particular site, Tim
21 Doherty, had reported it to the trust, and I don't know
22 what, if anything, had --

23 MR. ULLENSVANG: The park service, and we
24 have folks in our office who are aware of it and are
25 working through it. There's some bird nesting

1 associated with removing anything at this time of year.

2 MS. BLUM: I think he was concerned that
3 there was some kind of underground leakage that had
4 caused the embankment, but he didn't know.

5 MR. ULLENSVANG: And I'm not that sure --
6 I'm not that involved in those details, but I do know
7 that folks in our office are aware and they're working
8 with the homeowners, because there's some property line
9 issues involved.

10 MS. BLUM: Is that something the
11 Regional -- the Water Board should be concerned with or
12 have they advised the water -- have they advised the
13 Water Quality Board?

14 MR. ULLENSVANG: The park service issue.

15 MS. BLUM: But since it's in Lobos Creek,
16 would that not affect what Jim does?

17 MR. ULLENSVANG: I'm not -- I'm not sure
18 if it does or not. I know our folks are trying to deal
19 with the issue.

20 I'd be more than happy to talk with Jim
21 about it if he wanted to, but I think it's just a tree
22 that's thrown down in the watershed.

23 MR. PONTON: We'll talk about it.

24 MS. BLUM: Okay.

25 FACILITATOR KERN: Well, thanks, Jim,

1 again --

2 MR. PONTON: Sure.

3 FACILITATOR KERN: -- for your work on
4 that.

5 I think I've known about that for four or
6 five years, so it's been a long --

7 MR. PONTON: I've been here four or five
8 years.

9 FACILITATOR KERN: All right. Any other
10 questions for Jim about -- new business.

11 Action items. We're going to talk about
12 landfill E at some point, schedule it. We're going to
13 schedule for Mary's RAB meeting format. We're going to
14 move that to committee meeting.

15 It looks like we have some comments due in
16 a weeks on 1349 if we're going to submit them. It seems
17 to be the action items at the moment. Yes.

18 MR. SUTTER: Just a question, Doug. My
19 monthly question about the FOIA appeal with NPS.

20 Has there been any response yet?

21 FACILITATOR KERN: Thank you for the
22 reminder. That's worthy probably of a follow-up letter
23 at this point and call. It's in -- a bit in an ozone.
24 I haven't heard anything at all.

25 MR. ULLENSVANG: I couldn't hear.

1 FACILITATOR KERN: He's talking about the
2 Freedom of Information Act request with the Department
3 of Interior.

4 MR. ULLENSVANG: I've heard nothing.

5 FACILITATOR KERN: All right. Jan.

6 MS. BLUM: Michelle Passero and I had had
7 some conversations about the possibility that some of
8 the RAB members, if this even begins to make sense,
9 could possibly pursue getting additional grants for
10 remediation.

11 I don't know whether that makes sense or
12 not, Craig, but since you don't have the staff, you
13 can't do that. I'm wondering if it's something that we
14 could discuss in committee if it makes sense.

15 If it doesn't make sense, tell us and
16 we'll drop it, but I don't even know if we all have the
17 time or not, but we're interested in pursuing that
18 conversation.

19 MR. COOPER: I'm not opposed to receive
20 additional funding. I -- I'm not aware, but Michelle,
21 you know, obviously is much more educated on the subject
22 than I.

23 I'm not aware of a grant program for
24 remediation issues, the type that we're -- CERCLA type,
25 you know, remediation that we're doing.

1 But if she can find something that could
2 be a good fit for us that we could apply and put
3 together, you know, I'm -- if you guys -- if you can
4 find something, do a little bit of the homework for me
5 and then we can understand -- if it could make sense, if
6 we can find a fit to one of our remediation projects,
7 even if it's just restoration aspects or whatever, the
8 tail end of things, it's worth going for.

9 FACILITATOR KERN: She forwarded to me a
10 new opportunity that she uncovered having to do with, I
11 guess, special license plates where the Presidio could
12 generate income around that.

13 MR. COOPER: Yes. I immediately -- I
14 sent that not only to Dan Polk, the Congressional
15 liaison, but Michael Boland, and they forwarded it
16 directly to Craig Middleton, and so it's gone all the
17 way to Craig Middleton and we're looking into it.

18 We don't -- you know, because -- you know,
19 because their initial response was -- because it's a
20 state -- you know those fancy license plates that will
21 have Half Dome and that money, you know, goes to a
22 conservancy that supports Yosemite National Park, and so
23 we're looking into could we do the same thing for the
24 Presidio, and would the money go to the trust or to the
25 conservancy?

1 And so I'm assuming they are, you know,
2 looking into these issues, because Michelle said the
3 deadline to get -- you know, because there's this new
4 state bill coming that lists who should be the
5 benefactors for the license plates coming up for next
6 year.

7 And so if we want to get our toe in the
8 door, it needs to be fairly soon, but I know Michelle is
9 not here, but it's a great idea. It's a great idea, and
10 trust people are -- they're looking into it.

11 I don't know -- the money would probably
12 not go to remediation, but we should at least get a
13 finder's fee, you know.

14 FACILITATOR KERN: So I've got a new
15 action item, the FOIA and also some follow-up on our --
16 on these opportunities that Michelle is trying to
17 generate for the -- plus this one that you're just
18 mentioning about RAB people coming up with funds for
19 remediation.

20 So we have agenda items through the normal
21 channels and we'll try to generate some questions again
22 for the next meeting.

23 Anything else before we adjourn?

24 MS. BLUM: Do you want to talk about
25 subcommittees at all or is that a dead issue?

1 FACILITATOR KERN: At the committee
2 meeting?

3 MS. BLUM: Committee meeting.

4 FACILITATOR KERN: Yeah. It's not a dead
5 issue at all. We have, for example, the administrative
6 working group is going and hopefully Mountain Lake,
7 we'll have something, so not dead.

8 Anything else?

9 All right. We're sort of calling them
10 working groups.

11 MS. BLUM: Okay.

12 FACILITATOR KERN: Then without
13 objection, meeting adjourned. Thanks to everyone.

14 (The meeting concluded at 9:38 PM)

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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN FRANCISCO)

3

4 I, the undersigned, hereby certify that the
5 discussion in the foregoing meeting was taken at the
6 time and place therein stated; that the foregoing is a
7 full, true and complete record of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the
10 foregoing meeting and caption named, or in any way
11 interested in the outcome of the cause named in said
12 action.

13

14

IN WITNESS WHEREOF, I have
15 hereunto set my hand this
16 _____ day of _____,
17 2005.

18

19

Mark I. Brickman CSR 5527

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PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS
TUESDAY, MAY 10, 2005
OFFICER'S CLUB, BUILDING 50
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:
 Doug Kern, Facilitator
 Peter O'Hara
 Craig Cooper
 Brian Ullensvang
 Jim Ponton
 Gloria Gee
 Sam Berman
 Jan Monaghan
 Julian Hulgren
 John Budroe
 Gloria Yaros
 Michelle Passero
 Jan Blum
 Mary Trigiani
 David Sutter
 Bob Boggs
 George Dies
 Steve DiStefano

Also Present:

Mark Frye

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on May 10, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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AGENDA

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2) Agenda Discussion and Approval:	6
3) Announcements and Old Business:	6
4) Committee Business and Reports -	
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5) Reports and Discussions -	
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Jim Ponton, Reg Water Quality Control Bd:	None
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7) New Business:	None
8) Review of Action Items/Agenda Items:	89
9) Adjournment:	91

1 FACILITATOR KERN: I'm going to start.

2 Welcome, everyone, to the regularly
3 scheduled meeting of the Presidio Restoration Advisory
4 Board for May 2005, and just as a way to -- to recall,
5 this is the beginning of our twelfth year of service.
6 We've completed eleven years, moving into our twelfth
7 year.

8 I'd like to welcome everyone to the
9 Presidio Trust, National Park Service, our regulators
10 and community RAB members and any members of the public
11 that are here tonight.

12 I would note that we are trying to do
13 something a little bit different by actually starting at
14 seven o'clock so we can get people out of -- earlier,
15 which has been something that people have been
16 recommending to me.

17 So I thought we'd save that ten minutes
18 and I anticipate that people will trickle in and then we
19 can actually start the meeting in a few minutes.

20 Does that seem reasonable now that we
21 started, we will delay for a few -- check back in at
22 five minutes after?

23 MS. BLUM: It's going to be hard.

24 FACILITATOR KERN: Well, we did start.

25 (Recess taken).

1 FACILITATOR KERN: So I began the meeting
2 at seven o'clock and I said that I would check in at
3 five minutes after just to see if we were there ready to
4 actually start. The reason for precise start time is
5 that a lot of people have been mentioning, "Oh, I want
6 to get out earlier. I want to get out earlier."

7 So I thought I would try to save ten
8 minutes at the beginning and actually start on time.

9 Does it feel like we've got enough people
10 to commence?

11 MS. TRIGIANI: Dave's in the parking lot.

12 FACILITATOR KERN: Dave's in the parking
13 lot. The meeting has already started.

14 Welcome just a few minutes later. I hope
15 you still feel welcome and happy and all that. I will
16 say that this is the start of our twelfth year of
17 service on this board.

18 Okay. Where are we? Does everybody have
19 the regular agenda and this -- what looks like a Power
20 Point agenda?

21 All right. So I'll just show you there's
22 a title slide and then there's what appears to be a
23 rather precise timed agenda on there.

24 Maybe wishful thinking, but I'm just
25 getting nudges to actually try to have some precision on

1 the agenda and getting people in and out, and then
2 there's a little bit more detail on the next two pages.

3 Is everybody -- are there any changes or
4 any additions to the agenda? Very good. Then we'll
5 proceed ahead keeping precisely on schedule.

6 Are there any announcements? Jan.

7 MS. BLUM: The trusts will be having one
8 of their public board of directors evenings on the 18th
9 of May right here at five o'clock in the afternoon for
10 all you early birds and they're going to update on
11 projects on the Presidio Press, and there will be time
12 for public comment.

13 The regularly scheduled rain parade ground
14 scoping meeting has been moved to the 23rd of May and it
15 commences at 6:30. It would be very interesting for all
16 of us who can attend to attend the public board meeting.

17 MS. MONAGHAN: On the 18th?

18 MS. BLUM: On the 18th at five o'clock.

19 FACILITATOR KERN: Jan, did you say
20 they're taking questions or something?

21 MS. BLUM: They will be open for public
22 comment.

23 FACILITATOR KERN: Public comment. Okay.

24 MS. BLUM: You can ask questions, but I
25 don't think it will get answered.

1 FACILITATOR KERN: Not for me to comment
2 about this at this point.

3 Any other announcements? Then we're on
4 schedule.

5 So the next item is the committee business
6 and reports, and that has to do with our meeting format,
7 which I suppose by way of introduction, I can give you
8 some background about what this topic is.

9 When I went to -- to China and was absent
10 for a little while, there seemed to have been quite a
11 bit of discussion that got generated while I was gone
12 around the meeting format and what we're doing, and when
13 I got back and I saw that wow, this is pretty
14 interesting, a lot of energy around it, a lot of
15 discussion, and I talked to some people about what they
16 were thinking and I saw a lot of comment about things
17 that -- that really had to do with getting more
18 information and not staying so long and trying to make
19 things more efficient, and I really wanted to take that
20 to heart and try to respond to a lot of those comments.

21 It seemed to me that perhaps there was
22 some underlying deeper reasons for that, which I thought
23 I could talk a little bit about tonight.

24 So by way of background, the particular
25 meeting format, the way it has been going up to this

1 point is something that the RAB actually asked for and
2 trying to plan for and that particular format was to ask
3 the trust to go through all their sites and make some
4 report about that and that -- how that evolved sort of
5 turned out for me and perhaps Sam or a couple of others
6 asking Craig -- interrupting Craig's presentation, just
7 trying to remember things as we went, asking questions
8 as -- as things unfolded.

9 The feedback that I've been getting about
10 that is that that seems really inefficient to people,
11 causes everybody to have to just remember all the sites
12 and then to be able to spontaneously ask questions, and
13 many of you were telling me that while they appreciated
14 my questions, they didn't really understand maybe where
15 my questions were even coming from.

16 So I realized that maybe some -- some
17 revision was necessary. This has taken a long time to
18 get to that point, and so some of the ideas that were
19 kicked around might actually have some effect on this.

20 So one of the ideas would be for the RAB
21 to ask questions of the trust in advance, a couple weeks
22 so they could prepare, they could know what it was that
23 we were interested in.

24 That seemed like a good idea, too, to me
25 and we began trying that. We actually tried some of

1 that even before I went to China, just asking general
2 questions, where's the site, what's going to be the
3 cleanup remedy, how much is it going to cost, those kind
4 of -- when is it going to happen, but those kinds of
5 questions also -- it didn't quite work, either, and I
6 think what was really needed then was something where
7 the RAB is forming its working groups around particular
8 sites and working on these things in advance,
9 generating, you know, all the background information,
10 maybe requesting information as necessary from the
11 trust, having their internal group meetings and then
12 presenting questions or findings to the larger group at
13 a committee meeting to be discussed, and perhaps even
14 then go to a full RAB meeting with questions and things
15 being prepared for the trust.

16 So this seems like a -- a reasonable way
17 to go. It seems like it gets us in the position of
18 needing to -- and wanting to know more about the sites
19 and getting all that information under our belts rather
20 than just sort of sitting here and listening, sort of
21 more or less passively and commenting.

22 Those comments, I'm sure Craig appreciates
23 every last comment that we make and enjoys the banter,
24 but I think for efficiency and for effectiveness, it
25 would help us to really distill coherent comments ahead

1 of meetings. That way these meetings become very
2 productive, hopefully. That would be the idea.

3 So there are some changes afoot here. I
4 would -- I would say well, why is this even really
5 necessary? It's -- and this addresses perhaps some
6 deeper underlying issues, at least concerns that I would
7 have and that I voiced to many of you at our committee
8 meetings and the e-mail.

9 My feeling is that the RAB will do its
10 absolute best if we're involved early in the process,
11 and what I mean is if there's ongoing discussion about
12 particular site, what will the remedy look like, how
13 will it evolve, what are the various options to be
14 considered.

15 It's better if we're involved at an early
16 stage in that process.

17 I think what has been happening for us is
18 that remediation department, you know, they -- through
19 their consultants develop a report over quite a bit of
20 time and money and then we get -- and I think the
21 process also involves delivery of that report to the
22 park service and there's quite a bit of discussion that
23 goes on, and then finally we get it, and my sense of it
24 is that a lot of -- a whole lot of discussion has gone
25 on prior to us getting the document, and if I might be

1 really so bold as to say I think there might even be
2 some exhaustion perhaps on the part of the trust and the
3 park service having worked these sites over and over.

4 And by the time we get there, it's
5 almost -- it feels to me a bit like the thing may be
6 complete. The options as they are presented may be
7 finished.

8 What I'd like to see us return to is more
9 of a early involvement where we can participate in the
10 design, discussion of various remedies and their costs
11 and really have an ongoing discussion as -- as things
12 evolve.

13 To do that, we're going to need to engage
14 the remediation department in a different way, and the
15 way that we can start is through our meetings and our
16 working groups, getting knowledgeable with the materials
17 that are already available.

18 I know, for example, I've commented quite
19 a bit about landfill 8 and 10 not really knowing,
20 constantly asking Craig what's going on with 8 and 10,
21 and they've been working on it, they've been working on
22 it and working on it, and it's come out recently what --
23 at least a hint of what is being worked on.

24 Well, I think it would be good for those
25 of us who are really interested in that subject to be

1 working alongside the trust along the way so that we can
2 have input along the way in the development of the
3 alternatives.

4 By the time that we receive the report, it
5 seems to me that they may have been through three or
6 four potentially expensive iterations with consultants.

7 We've often commented here at our meetings
8 well, how much does it cost to write these reports and
9 do they really -- do the consultants really get paid
10 every time that this document is rewritten?

11 And the answer is yes, they do get paid
12 every time it's rewritten, and it seems to me that by
13 the time it gets to us, it shouldn't be yet again
14 another rewrite, because now we have a different view.

15 So I'm -- I'm really going to seek that
16 the way we engage in this process is through gathering
17 of information, working in working groups, inviting the
18 trust and others to participate, but getting our own
19 heads around these particular sites so that we have
20 really coherent questions to ask.

21 Now, in my agenda, I also have RAB goals
22 as being the full cleanup of Presidio lands and
23 effective use of the remediation funds, and that's the
24 basis, I think, that the Restoration Advisory Board has
25 always worked.

1 Are there any other thoughts about what
2 people think the role of the RAB is? I guess what I
3 mean is as I view it as trying to make sure that the
4 Presidio's cleaned up and the money is used effectively.

5 I mean, to me it's as simple as that. For
6 us to participate fully and effectively in that, we
7 just -- information is the key and being involved early
8 and often is really the key, too.

9 So as I say this, it's not -- I'm not
10 trying to suggest that anybody is to blame. Being the
11 one sitting up here and trying to promote a certain
12 direction, if anybody is to blame, it would be me, but
13 I'm listening to you and I'm hearing that you want more
14 effective meetings and more effective input, and so what
15 I think it's going to be is that we need to go to work
16 and sign up for various working groups for various
17 sites, develop the kinds of questions and insight that
18 will make us more effective engaging with the
19 remediation department, and then see how that works.

20 So I said in my agenda that I would chat
21 like that for about twenty minutes, but I think I'll
22 pause and see if there's any -- any questions or
23 response about where I'm going or what I'm talking about
24 or were people surprised or concerned or your thoughts.
25 Gloria.

1 MS. GEE: I was thinking just to help
2 facilitate that, it would be useful, I think, for all
3 the members, the RAB members to get -- from Craig or
4 whoever the -- sort of an overview of the calendar, you
5 know, like the urgency of certain sites so that we
6 can -- because we all have limited time resources, so we
7 can sort of focus on those that are at the forefront,
8 the important ones, you might say. I think that would
9 be really helpful, too.

10 FACILITATOR KERN: So overview of the
11 calendar and schedules. Okay.

12 Other thoughts and ideas at this point?
13 Any discussion? Does it seem like a reasonable course?

14 MS. BLUM: Mm-hmm.

15 MS. PASSERO: You might want to add for
16 an evolution of the last committee meeting, a lot of
17 these ideas came up during that discussion.

18 FACILITATOR KERN: Well, that's true. I
19 mean, it's -- I'm not particularly inventing this on my
20 own. It has been coming from the discussion that
21 started while I was away and then I engaged the group at
22 our last committee meeting about how to proceed, and it
23 may be worthwhile to bring up some of the concerns RAB
24 members had at that point about a change in course.

25 Some -- some members voiced the concern

1 that the reason that we had it set up this way in the
2 past was that all the subjects were covered and that it
3 was reasonably comprehensive and that maybe while
4 tedious or perhaps a little bit boring, at least we were
5 getting all the information and we had a chance to ask
6 the questions that we needed, which seems like a
7 perfectly reasonable reason that we had the previous
8 format.

9 We were getting a lot of the information.
10 It's just that we're getting it at the tail end of
11 the -- of the procedure, and it seems that for us to be
12 effective, everybody needs to understand the information
13 in such a way that -- and this is a very complex
14 program.

15 There are lots of sites that are all
16 happens at different times, lots of different chemicals,
17 lots of different rules and laws about how it's going
18 and then there are the reuse issues all going on at the
19 same time.

20 So it seems like a reasonable point in
21 time to change course with the meeting format and how we
22 engage, because there's really not that many sites in
23 some ways that are left open for discussion.

24 There may be ten left on our plate that we
25 really need to work with the trust, and I'm speaking

1 about sites such as Lobos Creek where recently in our
2 RAB comments, we provided a lot of comments. Some of
3 those have already been acted on, and there's others
4 that we'll need to track and work with the trust on.

5 Mountain Lake is another site that is
6 really important to all of us. There's a lot of --
7 again, through some of the work of our regulators,
8 there's extra money going into that site and there's --
9 there's a lot of -- there's a lot to pay attention to.

10 So I really think there's probably ten or
11 so sites that we could form working groups around and
12 that people could actually dig really deep into those
13 sites and push the agenda for those sites as necessary.

14 MS. BLUM: I would just like to say that
15 I would support that concept. I think it would help me
16 concentrate on sites that I am more interested in and
17 perhaps others and get more familiar with the
18 terminology, which can be very arcane to the average
19 person.

20 I feel like it's a very good way to get
21 focused and get engaged. So I support the idea and
22 concept.

23 One thing that I think would be very, very
24 helpful for every RAB member is to have what I call the
25 Sam Berman map, the one that I copied from him that he

1 got from EKI several years ago and it shows not only the
2 streets, but the landfills. That's really a great map
3 to have and that way it gives context to what we're
4 discussing on the sites.

5 And maybe you can recommend for those of
6 us that are interested in remedial working some kind of
7 crunch course or crash course that we can take in this
8 particular art and science that would be helpful to our
9 efficiency. There might be a course that's given.

10 FACILITATOR KERN: I'll have to think
11 about that.

12 MS. BLUM: I don't know for sure.

13 FACILITATOR KERN: It seems like
14 belonging to the RAB is like a course.

15 Jack.

16 MR. LUIKART: So subcommittees result in
17 what change in the format at this meeting?

18 FACILITATOR KERN: Well, the way the
19 meeting seems -- the way the meeting is now is that
20 there's a standing agenda where Craig reports on
21 effectively everything that he's doing.

22 MR. LUIKART: Right.

23 FACILITATOR KERN: Sometimes he whizzes
24 through things where we stop him if somebody has a
25 question.

1 The change would be that we would look out
2 at the schedule as Gloria recommends and perhaps in
3 concert with the park service look at the schedule,
4 what's coming up, prioritize our working groups and get
5 to work on what we think are going to be the important
6 questions and information around a particular site.

7 I would just pick out an example.
8 Landfill 8 and 10 is an important site. It's not clear
9 to me exactly what the priority is right now because it
10 was being driven by work around the public health
11 hospital.

12 That seems to be on hold, but if we can
13 say that that was indeed a relatively high priority site
14 to work on, then a working group would collect
15 information on landfill 8, all the things that we
16 usually rely on Craig to present at a meeting, where's
17 the site, what is contained in that, the kinds of things
18 that all of us reasonably could remember, but if you're
19 not dealing with this everyday for ten years, you may
20 not remember that at one point in time for about ten
21 years, the actual fill material had not been sampled.
22 Just get all that information together on a fact sheet.

23 So maybe the product would actually be a
24 fact sheet from the working group that can be
25 distributed, be put in a binder, progressed to the RAB

1 members. So you would have a list of where is it, a
2 map, what are the chemicals of concern, what are
3 basically all the issues that go along with that site,
4 what have been some of the proposed remedy alternatives,
5 try to encapsulate all the possible information that's
6 available.

7 And the reason for doing that is by the
8 time -- well, I'm thinking of landfill 8 and 10 again as
9 an example, that I think many RAB members were up to
10 speed maybe a year plus ago about what was going on at
11 the site, but as there were delays for a variety of
12 reasons, it's my impression that perhaps many people
13 don't even know exactly where the site is anymore and
14 what it -- you know, there's a cemetery under landfill
15 8.

16 Perhaps most people remember all that, but
17 there's always a need for a refresher. So there would
18 be a working group that could produce this and have
19 distilled information.

20 MR. LUIKART: I want to fast forward.

21 FACILITATOR KERN: Okay.

22 MR. LUIKART: Let's say we come to the
23 meeting and we have this great binder and we know
24 exactly what we want to know.

25 How does that speed up the meeting?

1 FACILITATOR KERN: Well --

2 MR. LUIKART: Does that stop questions
3 from being asked? Does that allow you to speed up the
4 process in any way or is it going to lead to the same
5 format at the meetings, just with more information?

6 FACILITATOR KERN: It seems to me that it
7 will -- at least in concept, it will eliminate the where
8 is it, what's going on at the site, all the preliminary
9 questions. It should --

10 MR. LUIKART: I only think it works if
11 you take strong control of the meeting and you force
12 people to stay on track, and that's up to you.

13 FACILITATOR KERN: I have been given some
14 of that feedback over the last month.

15 MR. LUIKART: But everything you said is
16 very good, but it doesn't change the meeting.

17 MS. TRIGIANI: Doug --

18 MR. LUIKART: You change the meeting.
19 That's good. I support that, but you have to do it.

20 FACILITATOR KERN: I'm -- I hear you on
21 that, and I think that's partly the direction that I'm
22 gently trying to take.

23 MS. TRIGIANI: More to Jack's point, one
24 of the things that we had talked about at the committee
25 meeting was this question of content, and this is really

1 germaine to what Jack's saying.

2 Not every meeting has to cover every site,
3 and that's where the concept of some sort of exception
4 reporting, a version of exception reporting, which would
5 then be again in the hands of the RAB.

6 In other words, if you have working
7 groups -- first of all, you start with an overall
8 schedule of what sites are being addressed when.

9 In a perfect world, we should be able to
10 do a calendar for what our meetings will address a year
11 in advance based on the trust calendar for remediation,
12 and that way to your point, Jack, it's not as if every
13 site has to be covered in detail at every meeting.

14 We would know well in advance, again, in a
15 perfect world, maybe a quarterly -- three months in
16 advance we would know that we're discussing landfill E
17 at the November 2005 meeting or -- you know, just to
18 pick.

19 So to Jack's point, it's not as if
20 we're -- and I personally am not advocating covering
21 every site at every meeting because I think that's been
22 part of the difficulty and the challenge and I can't
23 imagine having to emass that information every time, and
24 I think that that's a huge work output for the trust, as
25 well.

1 So the goal would be to start with that
2 calendar, assign the working groups, I think, and then
3 build a calendar for the meetings, the meeting content
4 around that.

5 Does that means sense?

6 MR. LUIKART: Then I would suggest that
7 if questions arise for a particular topic, you then have
8 to direct that person to go to the next committee
9 meeting because it still isn't going to change people's
10 information. Actually it's going to create more
11 information and maybe more questions.

12 FACILITATOR KERN: Right.

13 MR. LUIKART: So you've got to say to
14 that individual you ought to go to the next meeting and
15 have those questions addressed there, and that's how it
16 speeds it up.

17 MR. BUDROE: If you're talking about
18 that, what's the next meeting, next working group
19 meeting?

20 MR. LUIKART: Yes.

21 MR. BUDROE: Committee meeting, because
22 if there's four or five working groups, for example,
23 there's no way that I'm going to get to all of them.

24 Does that mean I don't get to ask
25 questions?

1 MR. LUIKART: I'm asking how does it
2 change this meeting. It doesn't appear to me that it
3 can unless we eliminate all -- some of the questions
4 that are asked and some of the good spontaneous dialogue
5 that's important, but perhaps more important as a
6 committee meeting rather than spending three hours over
7 here doing it.

8 I haven't been a part of this discussion
9 prior to this, but I support what is being said.

10 MR. BUDROE: But that's the thing with
11 these central -- decentralizing it like that. If I come
12 to one committee meeting and ask some questions and get
13 told, "Well, there's two working groups dealing with
14 that."

15 Well, I might not be able to make, you
16 know, two or three or four working group meetings that
17 go on beside the two committee meetings in that month.
18 Logistics can wind up making it impossible.

19 FACILITATOR KERN: Well, I'm seeing
20 Gloria and then Michelle.

21 To respond to that, I've always been
22 particular sensitive to -- in fact, that's probably --
23 I've been oversensitive to making sure everybody got
24 their voice heard and that all the issues got raised
25 and, you know -- and still try to get out in some

1 reasonable time.

2 So there's got to be some way of
3 distributing the working group product amongst other
4 members so that they can see along the way and try to
5 stay up to speed. I'm not really sure what that is yet.
6 Gloria.

7 MS. GEE: I think in sort of addressing
8 the question about how you can get some of these
9 questions -- spontaneous questions addressed that are
10 raised in committee or also in the regular monthly RAB
11 meeting, I thought that one of the possibilities was,
12 you know, like the RAB members could have some input
13 into what agenda items would be coming up at the
14 following RAB meeting.

15 So those could be special areas of
16 interest that --

17 MS. TRIGIANI: Gloria, that's what I just
18 said, was that the calendar of --

19 MS. GEE: Sorry.

20 MS. TRIGIANI: Let me just repeat this.
21 Okay. The calendar of remediation events, the trust
22 calendar for when they are -- when they are taking steps
23 to do something drives how the working groups work with
24 the trust or talk to the trust about what's going on,
25 and in a perfect world, the working groups will have a

1 command of only a small number of sites, and I think
2 Doug, one of the things that you had raised at the
3 committee meeting was that perhaps we meet at the
4 committee -- part of the committee meeting is devoted to
5 a working group session, almost like a one room
6 schoolhouse where each grade is working in a different
7 corner, and that will eliminate meetings and also enable
8 people then to ask questions dynamically in that one
9 room schoolhouse at the committee meetings.

10 I don't know if that's still up, but
11 again, everything -- if we start with the trust calendar
12 and then focus our activities around their deadline,
13 their milestones, then we -- then we set up the -- and
14 I'm open to like reaction.

15 This is just me coming out of my head.
16 It's been rolling around here for a month, for the last
17 two weeks.

18 Then we take the working group. One
19 working group will present something maybe at one
20 session, and we know when that is. It's a public group.
21 So that not every site is addressed, only in terms of
22 what's exceptional and what's going on in that one.

23 Does that make sense?

24 MS. GEE: I know what you're saying, but
25 I'm saying there might be some questions that don't fit

1 neatly into any working group.

2 MR. TRIGIANI: Okay.

3 MS. GEE: It could be issues like finance
4 or insurance or something and then that's where I
5 thought that in design -- proposing the subsequent RAB
6 meeting's agenda, that some of those oddball
7 questions --

8 MS. TRIGIANI: But the finance to me
9 should be on every meeting's agenda. That's a working
10 group.

11 MS. GEE: But I'm just saying as a
12 conjecture that there might be certain issues that are
13 raised and percolate up from the beginning that don't
14 fit neatly into the existing working group, you know.

15 FACILITATOR KERN: I think you're
16 correct.

17 MS. GEE: And then you can say okay. So
18 Doug could be the one to say that well, for the June
19 agenda of the RAB, we're going to insert this other
20 additional topic, and so that it's not just the pro
21 forma format that we've been accustomed to, but there
22 would be some room for flexibility to address certain
23 issues that have not been routinely addressed. That's
24 the point.

25 That's what I was trying to say, that

1 there is some flexibility in terms of the format of the
2 monthly RAB meetings.

3 FACILITATOR KERN: Absolutely.

4 MS. GEE: And I think that's where we can
5 address some of these other questions that are really
6 salient, but we haven't, you know, done so before.

7 FACILITATOR KERN: Okay. Michelle.

8 MS. PASSERO: You can cut me off if you
9 want. Reserve something at the committee meeting for
10 half an hour for individual questions, and if it's still
11 important at that time, you know, if it can't be gotten
12 through e-mail going back and forth for people asking
13 questions, then allow just for a window of time there.

14 FACILITATOR KERN: Jan.

15 MS. BLUM: I have a question. Have you
16 discussed this new format with Craig or is this the
17 first time he's heard about it? That would be question
18 number one.

19 And then number two, how, if his day
20 changes -- which is very likely. It's happened, and
21 interrupted, and I think that's what Gloria was trying
22 to allude to -- he may have -- he may have a change in
23 his calendar.

24 How will we know? How do we all work
25 together without killing each other with over

1 communication and --

2 FACILITATOR KERN: Yeah.

3 MS. BLUM: -- tied into lock step?

4 That would just shut everything down
5 unless we have a lot flexibility to run a business.

6 FACILITATOR KERN: It's really our
7 responsibility first to organize ourselves. That's kind
8 of what we're trying to do. In part -- it will actually
9 be easier on Craig if I come to him and say, "I need to
10 prepare this working group. Can you give us some
11 materials?" And he'll probably go, "Sure."

12 He might not, but he may be invited to the
13 meetings, you know. He may participate in those.

14 So those would be times when he would say,
15 "Hey, this all got changed around, so now it's, you
16 know, two years earlier."

17 I mean, all that would be going on I think
18 with the working groups.

19 I don't think this is going to be more
20 work for Craig. Yes, I have told him that we were going
21 to try to make some changes and that tonight would be
22 primarily about this, but he doesn't know the details
23 because we're kind of talking about it here, and the
24 last time we talked about it was at our committee
25 meeting when we asked Craig to step out so we could talk

1 about what we wanted to do.

2 So he's hearing it a little bit on the
3 fly. Yes.

4 MR. COOPER: I have a couple reactions.
5 I mean, I like this idea, first of all, and we've --
6 first of all, on Mary's point, the calendar event, to do
7 it right, it's really the calendar of projects in fairly
8 early in the planning stage, not the calendar of where
9 we have construction starts.

10 Like before, remember I've handed out
11 those schedules that show construction starts for each
12 year. It's our planned construction starts. That's not
13 really the calendar you're thinking about.

14 Going on your idea, Doug, to get earlier
15 involvement would be like the calendar of sites where
16 we're just starting to scope a corrective action plan or
17 we're just starting to scope out RAP 5, for example.

18 So that's my understanding, and I've
19 actually taken a shot on that. Remember I did a
20 handout, and Jan, you're right. Things do -- remember I
21 did that one handout, it was called Recommended Topics
22 For Upcoming RAB Meeting and I kind of went out about
23 six months for RAB and RAB committees and I put what I
24 think -- and they were pretty much all planning 207/231
25 corrective action plan.

1 We've calendared maybe two or three visits
2 with the RAB on that before we were going to even issue
3 a draft.

4 I think that's the model that -- it may
5 not be a perfect start at it, but it's kind of the model
6 that you're kind of looking for.

7 FACILITATOR KERN: Well, that schedule is
8 what Mary's talking about.

9 MR. COOPER: Yeah.

10 FACILITATOR KERN: It pretty much
11 reflects Craig's priorities.

12 MS. TRIGIANI: Right.

13 FACILITATOR KERN: So we would use -- we
14 would consider those things and, you know, incorporate
15 them into our schedule.

16 MR. COOPER: You saw two weeks ago I
17 edited a couple times as things shifted around. Oh, I'm
18 not going to be ready. This was more when it was trust
19 presenting.

20 I'm not going to be ready at the February
21 RAB committee. Could we move this one to March. We'll
22 flip this one around, but, you know, I can -- we can try
23 to put something out there and stick to it.

24 I mean, Brian and I will have to talk
25 about how to do that because there's certain information

1 that --

2 FACILITATOR KERN: There's a little
3 nuance here that I want to flow out to everybody by
4 describing how we worked on one site here called
5 building 637.

6 That was a site where at a normal RAB
7 meeting, rather than the trust even presenting the
8 results of the site, RAB members actually produced a
9 Power Point and described the location, all the
10 important information about the site, the process of
11 creating an alternative that was agreeable to all
12 parties and described the preferred alternative and it
13 was -- it was such -- you know, a good feeling, that the
14 RAB -- the trust actually really didn't even present at
15 all about the site.

16 The questions that got asked that night
17 were from RAB members to inform RAB members, and so the
18 discussion was very collegial.

19 I recall it even five years ago still
20 being quite poignant that there were RAB members
21 responding to rather detailed questions.

22 There was a feeling afterwards of such --
23 wow, this really worked. It was really incredible. We
24 were part of the process. The RAB actually wrote a
25 resolution commending the trust about the process.

1 And the site unfolded and all the various
2 things happened to it as agreed.

3 It just seems like -- you know, I can also
4 add that the RAB members actually wrote part of the
5 document, contributed to part of the actual
6 environmental document.

7 So it was a good process and it's
8 something that while perhaps it seems like it would be
9 way too tall of an order for us to do, I think a lot of
10 prior preparation and organization, it would actually
11 take us less time to actually work on the thing and
12 provide input along the way than it would the sort of
13 trust gets done with it, announces what they've come up
14 with and we kind of go well, what's going on with this
15 and it goes back and forth.

16 I just think that there's a lot better,
17 more productive way to do that.

18 So I'm proposing that, that we -- in
19 addition to engaging Craig and his group based on the
20 schedule that they're putting out to us, that we
21 continue to try to gather all the information we can
22 and, you know, invite him and Brian and others to these
23 working groups, and let me try to pound out some more
24 details.

25 I'll take another break and get more

1 reaction.

2 It may actually save us time, particularly
3 at these meetings if -- if it turns out that it's a RAB
4 community member presentation and it goes for twenty
5 minutes based on who we worked on this site, we worked
6 with the trust, we helped write this part of the
7 document. Here are the alternatives. Here's the ones
8 that we prefer and why. The rest of the group goes wow,
9 that's really good work. Okay. We agree. Next topic.

10 It seems like it could work like that
11 because a lot of the work is done in these working
12 groups.

13 Skeptics in the audience, please give your
14 impressions.

15 MR. O'HARA: I think I got to go back to
16 Jack's question, is what does that do to the meeting? I
17 mean, does that -- does engaging and developing the
18 plans as you're suggesting, how does that speed the
19 meeting up? How do you -- how do you quantify the
20 times?

21 FACILITATOR KERN: I conceptualize,
22 anyway, that a working group -- I'll pick landfill 8 --
23 goes to work on trying to work with the trust off-line
24 outside the meetings to understand all of the
25 alternatives rather than -- rather than Craig presenting

1 that. A RAB member perhaps could present it and the
2 language and the detail of what people want to know
3 typically would be in that -- I mean, because they're a
4 community member, that would be the perspective that
5 would be presented.

6 It's just my impression that when it's
7 done that way, people are paying attention, and rather
8 than to an agency member, it's one of their own members,
9 and that while there may be questions -- and Craig and
10 Brian and other members would still be there to answer
11 those -- I think many of the questions would be answered
12 in the process that's outside of these meetings. That's
13 my impression.

14 John and then Craig.

15 MR. BUDROE: Okay. This is really about
16 meeting efficiency. What we're talking about is really
17 getting more input into the decision-making process so
18 that we don't wind up getting input at the very tail end
19 of the process where things have already been put
20 together and all you're arguing over is the cosmetics of
21 it, you know, the basic -- you know, the things that
22 have been essentially all built out and we're just
23 looking at small details.

24 But it's not -- be forewarned. This is
25 going to require a lot more commitment and time on the

1 members. You know, it might save a little bit of time
2 in the two meetings a month in terms of working group
3 time. That's going to take a lot more time.

4 So as far as efficiency goes, it might
5 improve, but the load's going to increase, also.

6 The other thing that I've got my qualms
7 about is I don't know -- I'll be honest with you. I
8 don't know how involved that project was that you were
9 talking about.

10 Some of the projects that are coming down
11 the pike are going to be very involved technically, and,
12 you know, the question's going to come up is -- as to
13 how qualified people are, how much of a background do
14 they have in this kind of thing, how long will it take
15 them to come up to speed to actually tackle the details
16 of this stuff?

17 MS. TRIGIANI: Then what are we here for
18 would be my question?

19 MR. BUDROE: But there's a difference
20 between exercising oversight and actually helping to
21 craft the plan.

22 MS. TRIGIANI: Mm-hmm.

23 MR. BUDROE: You have to have a lot more
24 knowledge about the subject in one than the other.

25 MS. TRIGIANI: Well, speaking for myself,

1 I need to have more knowledge than I do in order to
2 perform effective oversight.

3 FACILITATOR KERN: It's been -- it's been
4 my perception that there are plenty of technical experts
5 in the room. Sometimes what's not there is somebody
6 saying now why we doing it like that? Just sort of that
7 basic common sense view, which is what we bring.

8 There will be technical people -- you
9 know, I don't expect a RAB member to be able to know
10 seismic stability issues or, you know, failure rates or
11 chemicals of concern issues, but just the common sense
12 stuff that we bring, I'm looking to get that inserted
13 early in the process.

14 So it may be difficult for someone who is
15 not technical to be at those meetings to stay with it,
16 but I'm hoping that anybody who's been able to stay with
17 these meetings would actually be able to go to those
18 kinds of meetings.

19 Craig.

20 MR. COOPER: One way that, you know, this
21 could happen is that the RAB meetings then become
22 like -- each -- a RAB representative from the working
23 groups would then report to the larger group. That's
24 maybe what Jack said earlier.

25 I think that's how Hunters Point RAB is

1 done. Isn't that right, Jim? It's the working group.

2 MR. PONTON: I can maybe explain how that
3 all works if you'd like to hear how Hunters Point works.

4 FACILITATOR KERN: I'm going to be on my
5 agenda, which I've been encouraged to. I've got two
6 more minutes on this subject.

7 Craig.

8 MR. COOPER: That's how it improves
9 efficiency. It gets more decentralized. The larger
10 group, you're going to hear a summary of what that
11 working group is.

12 There could be ways of doing e-mail
13 amongst each other, that other people, you can share
14 each other's fact sheets. If information gets shared
15 that way.

16 What it would do for me, I agree it's
17 going to be a lot more work for RAB members and probably
18 more meetings for me to attend, but also just for me to
19 get used to other people presenting about a site and
20 that being okay, and if they don't quite get it right,
21 that would be okay, also.

22 I can add a caveat here and there, so I
23 think conceptually, I think it sounds all right with me,
24 yeah.

25 FACILITATOR KERN: So other comments

1 before I leave this -- are there any objections to
2 giving this a try? Any strong objections that people
3 feel like we're going to miss something? John.

4 MR. BUDROE: I don't have any objections,
5 but I'd like to hear what Jim's experience has been with
6 Hunters Point.

7 FACILITATOR KERN: Let me then negotiate
8 with my own agenda and allow Jim, please to comment on
9 your -- so I'm keeping track of where I am.

10 MR. PONTON: Essentially the committee --
11 the community, the RAB community has four sitting
12 committees. One of them is the economic improvement
13 committee, a technical committee, a radiological
14 committee and a membership and bylaws committee, and
15 each committee meets each month.

16 They determine the date and time at the
17 RAB meeting for the next meeting and they come to the
18 subsequent RAB meeting with typed up notes from meeting
19 minutes from that meeting that they share with the RAB.

20 Those notes are entered into the record,
21 so there's a record of the meeting, and those meetings
22 steer some of the discussion that's based on the agenda
23 for that evening.

24 The agenda starts at 6:00. It ends at
25 eight o'clock. There's a break for the court reporter

1 after an hour. It's held pretty firmly to a schedule.

2 People are allowed to ask questions, but generally their
3 follow-up questions are limited to possibly just one or
4 two, and normally those RAB meetings are proceeded which
5 a technical committee that the Navy has with the
6 regulators that the RAB is invited to attend a day or
7 two before.

8 So that way generally the public and the
9 regulators know what's going to happen at the RAB.
10 That's essentially it.

11 FACILITATOR KERN: Okay.

12 MS. YAROS: Do they have the committee
13 meeting as well as the RAB committing?

14 MR. PONTON: Yes, ma'am. There's four
15 different committee meetings and then the RAB meeting.
16 Not everybody goes to those meetings. The regulators
17 only go to the meeting that they're invited to.

18 MS. YAROS: They go to the RAB committee
19 meeting, they go to the subcommittee meeting and --

20 MR. PONTON: There's no regularly
21 scheduled meeting. There are people that attend.
22 There's one woman that attends the monthly meeting with
23 the Navy and they are also part of the membership and
24 bylaws committee, and they don't normally -- they may
25 meet or maybe they postpone their meeting, but they

1 enter that into the record as to what they've done, and
2 they share that way, and it seems to work for them,
3 although I think sometimes they'd like to talk more.

4 MS. BLUM: In your -- your professional
5 opinion, is that an effective way to do the work the RAB
6 is charged with doing?

7 MR. PONTON: I -- I think in that
8 environment, it is because it's easy to get sidetracked
9 on other issues that are maybe not necessarily
10 environmental issues.

11 So if there's the tendency of a RAB to get
12 offtrack, away from the environmental issues at hand,
13 and sometimes I think it's good to have a firm schedule
14 so that people stick with the main points and focus.

15 FACILITATOR KERN: So I'm -- I'm
16 proposing that we begin to attempt to implement this
17 method or procedure. If there's anyone that feels
18 strongly, I would surely like to hear about it, feel
19 strongly to not do this.

20 MS. PASSERO: Do you want us to say that
21 we support it?

22 FACILITATOR KERN: Sure. If there's
23 anybody that supports it. I think I'm getting the
24 general impression that our usual process is working.

25 I mean, it's kind of generated from you,

1 happened in committee meeting, we're bringing it out
2 here, discussing it. It feels like it's okay to
3 proceed.

4 MS. YAROS: Well, I agree that it's okay
5 to proceed, and perhaps with the caveat that we evaluate
6 our new plan in two months or three months or six months
7 or whatever so it's not as though we're taking just a
8 gigantic terrifying stop here.

9 This is a format for a meeting. Let's try
10 it, for heaven's sakes. If it doesn't work, okay.

11 I would also like to add that people speak
12 up. I think there are a couple of guys in this room who
13 kind of mumble. This is my old English teacher
14 mentality. Speak up or get a microphone. I think -- I
15 don't know whether it's the length of the meeting or
16 whatever, but please, fellows, the women don't have a
17 problem. It's -- but some of the men have these nice
18 soft fuzzy voices that are not conducive, in my opinion,
19 to a business kind of meeting.

20 So we did have microphones at one time. I
21 don't know what happened to them, but maybe we could
22 incorporate that into our new, you know, method of doing
23 business here.

24 FACILITATOR KERN: Or maybe we could just
25 give them to a couple of people that you designate.

1 MS. YAROS: I will pass them out and
2 decide who needs them.

3 FACILITATOR KERN: I hesitate to call on
4 Dave, but you had something to say.

5 MR. SUTTER: Not really.

6 MS. YAROS: Okay.

7 MR. SUTTER: My suggestion would be I
8 think along the lines that Gloria has mentioned. There
9 should be a menu of sites of projects that are, you
10 know, about to -- to happen or -- or, you know, Craig
11 mentioned that are in planning where -- where they're
12 beginning to be scoped and beginning to come together
13 that should be presented to the group so that people can
14 kind of pick and choose what they'd like to work on.

15 That would seem to me to be the next
16 logical step to move this new concept forward, and maybe
17 that might be developed for the next committee meeting
18 in two weeks so that --

19 FACILITATOR KERN: Okay.

20 MR. SUTTER: So that people could
21 actually begin to sign up, so to speak.

22 I actually would also like to say that I
23 agree with Jack, that I really think that regardless of
24 what we do, it's really up to you, to set the tempo at
25 the meeting and the length and the -- how quickly we get

1 these done. I really do, and sometimes you can't be as
2 polite as you've been and say that's enough.

3 FACILITATOR KERN: Okay, Gloria. That's
4 enough.

5 MS. YAROS: Good.

6 FACILITATOR KERN: Thank you very much.

7 I'm only five minutes off my agenda which
8 I negotiated with Jim. I thank you for including your
9 comments.

10 I'm moving on, then to update on the FOIA
11 discussion, and there's actually something to report.

12 I have struggled with composing a letter.
13 I've called multiple times this number back in
14 Washington. The person's name is Darryl Strahorn. I've
15 been working with her for months trying to get something
16 out of her.

17 I finally got a hold of her today on the
18 phone. She actually answered her phone, and I said, "Do
19 you know who I am and do you know about this particular
20 FOIA? I hope you've got a sense of these things." She
21 said, "Oh, yes, Mr. Kern. I know who you are."

22 MS. TRIGIANI: Mr. Kern.

23 FACILITATOR KERN: "I know your project
24 because I'm working on it myself," and then she went on
25 to say that she had originally given it to a contractor

1 some months ago and they worked on it for a while and
2 then they left and then she had given it to another
3 person who'd been on detail at the Department of
4 Interior and they worked on it for a while, but didn't
5 complete it.

6 The update status of this very day is that
7 she has made recommendations to the local attorney there
8 for DOI and that person is traveling, will be back
9 soon -- Monday, I think I heard, and so she expects next
10 week to have an answer for us about the disposition of
11 our appeal.

12 I tried as hard as I could "can you give
13 me some sense of where you're leaning?" and she would
14 not budge. She would not give me any sense of it
15 because she's not, I guess -- she doesn't have her legal
16 counsel's opinion.

17 So that's where that situation is. I
18 asked her "would it make any difference to you if you
19 had a letter inquiring about this? Will that speed up
20 the process?"

21 She said, "No, it won't make any
22 difference at all. It's already at the top of my list
23 with three other things, so thank you for being so
24 patient." She thanked me profusely and said it will be
25 forthcoming shortly. So we should have something.

1 And now we have a break for about ten
2 minutes and we will resume.

3 (Recess taken).

4 FACILITATOR KERN: Continuing on in our
5 new format, I'm moving on to working group business, and
6 the first group that we're working with that we'll work
7 on for tonight is the cost tracking or the
8 administration working group, as we called it.

9 That has amounted for the time being to --
10 come on brain. Just two of us, and we've been working
11 with the trust for several meetings and we've reached a
12 point where we needed to kind of come to you with our
13 results and talk about it.

14 We talked a little bit about it in our
15 committee meeting last week and it seemed reasonable to
16 bring it forward to this meeting.

17 So I'll give a little bit of background,
18 some of the recent meetings that we've had, our view of
19 the status of the project as of today and kind of the
20 groundrules that we're working on, a little bit of
21 discussion and then perhaps there was actually quite a
22 reaction to our discussion at the committee meeting and
23 you'll probably hear some of that.

24 So I will try to keep a tight ship here to
25 move this ahead.

1 The background for this particular subject
2 is for the first, let's say, four or five years of the
3 project with the Army, we never got any kind of
4 financial report at all.

5 The only thing we really got was
6 everything that we wanted to do would cost way too much
7 and everything that they wanted to do would cost very
8 little, and it was all rigged and it was a very
9 actionable to have to deal with that.

10 The Presidio Trust came on and the first
11 few years, they were acquiring some of the funds. They
12 came in periodically. I think something like twenty, 25
13 million at a crack.

14 MR. ULLENSVANG: Mm-hmm.

15 FACILITATOR KERN: Something like that,
16 the funds were coming in till it added up to 99 million
17 with some negotiation, so they didn't get exactly a
18 hundred million, and so since the time of Craig, we
19 didn't have much -- much luck in getting any kind of
20 financial reporting, although we did work with the
21 previous project manager in developing this.

22 The one meeting that I can report on
23 during Craig's predecessor's time that we had a
24 financial report didn't come from the project manager.
25 It came from Tom Kingston, and he put a -- this is a

1 person that was above Sharon Rykoff in the chain, and I
2 really distinctly remember that we had behind the scenes
3 working groups really saying we'd like to see what's
4 going on with the program. Can you show us some
5 numbers, and there was an overhead projector -- he
6 didn't do a Power Point, because that would have been
7 stuck on the computer and we could have said. "Go
8 back."

9 He put the overhead on the screen and it
10 was up there for like two minutes and there were all
11 these numbers. We're all madly just trying to -- and he
12 ripped it off the thing and that was it. That was our
13 financial report.

14 So that was really very unpleasant, as
15 well, because he kept saying, "We really can't talk
16 about this. We really" -- so that's sort of the
17 background.

18 Craig's been with us and we've had a lot
19 of good interaction around this.

20 A couple years ago, we've tried to make
21 our feelings known very directly about the kinds of
22 reporting that we needed.

23 Well, why do we need the reporting? I
24 mean, it would be nice to know how the money's being
25 spent, but in some great detail, how is the money being

1 spent? Has it been wasted in different areas? Is it
2 going off -- you know, there's lots of questions that
3 one could ask, and if you don't have a report, you just
4 begin to wonder what's happening.

5 And it -- it was even possible that in our
6 estimation that such a report would be very useful for
7 the trust's own purposes.

8 That was certainly in our consideration,
9 again with making sure that with our goals being -- we
10 get the maximum full cleanup of all the Presidio and
11 effective use of the funds, we wanted to have some kind
12 of tracking of that, how the things were being spent.

13 So it's roughly a couple of years ago now
14 that we had these discussions around what would such a
15 report look like. We wrote an extensive letter that we
16 deliberated for several months about. We had a lot of
17 input on that letter.

18 Craig was usually at the meetings, pretty
19 well understood what we wanted, got the letter,
20 responded to our letter, went to hire a person, engaged
21 us in writing a job description.

22 That much most of you know, and then a
23 person was hired, and I think Alan Anchuta was hired
24 roughly eight months ago, something like that.

25 MR. SUTTER: A year ago.

1 FACILITATOR KERN: Somewhere around
2 there.

3 So Alan had sometime before he -- you
4 know, he needed to get adjusted, he needed to understand
5 what the problems were, but eventually we started to
6 ask, you know, okay.

7 So we want to engage and we want to see
8 what kind of reporting there will be, and so David --
9 David and I have met with the working group that's
10 involved, David, myself, Craig, Alan and Brian and we
11 met a few times.

12 So now I get to report a little bit on
13 that and Craig hasn't really -- he doesn't know what's
14 coming. He may have some sense from our own working
15 group meetings, but nobody's really prepared for this
16 except perhaps Dave and the group that I met with at our
17 committee meetings also heard a little bit about this.

18 And that was in executive session where
19 Craig wasn't there.

20 So we have received a number of variations
21 on the theme of these -- these reports, and my goal here
22 is to be fair, and yet at the same time bring
23 information to you about the status from my perspective.

24 Here we are two years down the road and we
25 don't have a full report yet. We have sort of trial

1 balloons, we have attempts at meeting what our
2 requirements are for specific sites. We don't have a
3 full report, and what I'm here to tell you tonight from
4 my perspective is that I ran out of patience. I ran out
5 of patience for this project.

6 We are at a point where everything rides
7 on the money. The decisions that we're making all come
8 back to the money, and we don't know a thing about the
9 money, really. We haven't had a report about all the
10 sites.

11 We have large, you know, general one-page
12 overviews, but it's really not enough detail, and it's
13 not the kind of detail that we've been asking for for a
14 couple of years.

15 So what I'd like to say tonight is that I
16 think this is a serious issue that I bring to your
17 attention, something that we've engaged in a very fair
18 way with the trust and they've engaged us -- I don't
19 know from Craig's perspective the difficulties working
20 with Alan or, you know, the horrible system.

21 There are a variety of challenges that the
22 group faces in trying to generate this report, and yet
23 on the other hand, from where I sit, anyway, the
24 thing -- all these challenges do need to be overcome.

25 A report needs to be generated with

1 sufficient detail that we can begin to comment on the
2 actual financial details rather than just the format of
3 the report and making sure that the numbers are right
4 and all sorts of things that Dave and I could give you a
5 lot of detail about that there's a loss of patience on
6 my part and a tremendous frustration, a frustration
7 where, you know, I have this kind of coast along and
8 then I just fall off the cliff and say -- throw up my
9 hands and when are we going to get this? How difficult
10 could this possibly be?

11 I'm venting a little bit, but I also am
12 trying to give you the message that this is of critical
13 importance, as we all know, because when we're trying to
14 make decisions upon really expensive sites, part of what
15 we are met with is we won't have enough money to choose
16 that remedy or this is too expensive or -- and we
17 can't -- we don't have any information to judge that.
18 We don't have the ability to make our own considered
19 judgment.

20 I know that last year the trust has made
21 their own estimates for every site. We've heard about
22 them in our committee meetings, and a lot of these
23 results that they're not available to us. There -- the
24 detailed financial information is just not yet available
25 to us.

1 Now I know Craig is working on it. He's
2 working with Alan. At a certain point, I've got to take
3 a snapshot with -- with Dave and just tell you where it
4 is. Of course Craig can respond, can tell you where he
5 thinks it is.

6 So that's my allotted time that I've given
7 myself to give you an overview. I've really given you
8 no details because that's what the working group is for,
9 but I'm willing and Dave is certainly willing to kind of
10 answer any level of detail about, you know, I'm the
11 messenger, I bring you a message, if you have questions,
12 we can talk about it, and I want to -- I want to give
13 Craig a chance to respond if he wants to.

14 I didn't really prepare him for this. He
15 may feel a little bit sandbagged. You know, I apologize
16 for that.

17 I just sort of also wanted to make it
18 clear that I -- we've been trying. We've been really
19 trying to make this work, and in my report to the
20 committee, the RAB -- RAB members talked about it and
21 one of them generated a whole resolution on their own
22 based on the information that I had provided, and so I
23 have that here tonight and we can talk about it.

24 I don't anticipate voting on it, but it
25 certainly describes at least from her point of view -- I

1 mean, and it's unedited -- how she feels about it.

2 Is there any discussion at the moment?

3 Dave, yes.

4 MR. SUTTER: Yeah. Let me just say that
5 I -- I want to echo my own frustration. Doug mentioned
6 that he just reached a point of frustration on this
7 issue, and I have, as well.

8 Let me just give you some background from
9 my perspective. I've been on the RAB, I think, for
10 about four years now. About the -- after about the
11 first year, it became apparent to me that at that time
12 the trust, while it had assembled a lot of expertise
13 when it came to the technical aspects of the
14 environmental cleanup, they were a bit behind the power
15 curve when it came to cost reporting, cost management
16 and scheduling and scheduling management.

17 So at that point, I made certain
18 suggestions from my experience in project work and in
19 construction as to methods and systems that they might
20 take a look at, that they might adapt to the program
21 here, and as -- as Doug has mentioned, there was a lot
22 of discussion both at the RAB level and with the trust
23 over the next year or so as to the -- the way to do
24 this, and in -- in I think it was June of 2003, the RAB
25 put together a specification, so to speak, and a

1 recommendation, rather detailed recommendation as to a
2 methodology that we are recommending to -- to the trust
3 that they use specifically for the cost tracking and
4 cost reporting.

5 The trust accepted that -- our
6 recommendation in the fall of 2003 and initially
7 attempted to put this system into place, but found they
8 did not have at that point the in-house staff, the
9 expertise in cost reporting and financial analysis to do
10 it, and so as Doug mentioned, together with the RAB, the
11 trust put together a job description in order to hire
12 the necessary expertise and -- and eventually hired Alan
13 Anchuta, who has a lot of experience in cost tracking
14 and construction projects, and Alan, I believe, came on
15 board about May of last year.

16 And initially Alan indicated that -- that
17 the kind of format that had been recommended, that was
18 the format being considered, that he had experience with
19 this kind of cost tracking and recording and that it
20 looked -- it looked very straightforward, and once he
21 translated trust accounting into the kind of data
22 retrieval and data crunching that he needed from a
23 project perspective, that he'd be able to generate and
24 turn out the individual project cost reports based upon
25 the agreed upon format.

1 That hasn't been happening. I mean, what
2 we've been seeing since Alan came on board when we began
3 asking for sample reports to see that it was being done
4 in the -- in the way that had been agreed is we began
5 getting samples on projects, but the information was not
6 complete, the detail was not there, the separation of
7 costs had not been done, and even as of the last couple
8 of meetings that Doug and I had with -- with Craig and
9 Alan and Brian, the -- the format, the reports were not
10 being done in a way that provided the detail as
11 originally stipulated and originally laid out, and as a
12 result they're virtually meaningless.

13 So at that point I just felt well, it
14 doesn't look like these meetings are having any -- any
15 positive result because we just seem to go round and
16 round and round and what we get is essentially
17 meaningless data distributed somewhat on the spreadsheet
18 format that we'd all agreed upon, but incoherently.

19 The information not properly -- properly
20 entered, not properly calculated, not properly compared,
21 and so as I mentioned to begin with, I -- at that point,
22 I just felt totally frustrated and didn't feel like
23 there was much -- there was much purpose in -- in
24 continuing with these working group meetings with Craig
25 and Alan because we just seem to be going around and

1 around and around and never getting to home base on
2 this -- in this essential aspect of the program.

3 So I just wanted to give my kind of
4 perspective and -- and experience to date.

5 FACILITATOR KERN: Thank you, Dave.
6 Jack.

7 MR. LUIKART: What do you recommend?

8 FACILITATOR KERN: Well, I recommend that
9 we look at this resolution which has some
10 recommendations in it and discuss that.

11 I think it will say in here what we ought
12 to do.

13 MS. MONAGHAN: While we're passing it
14 out, can I make a couple comments?

15 FACILITATOR KERN: Please.

16 MS. MONAGHAN: I wrote the resolution
17 based on the discussion we had at the committee meeting
18 next week, but my concern about the finances went back
19 six or seven years when we redid the bylaws where we
20 asked to have financial input in the bylaws, and then as
21 the head of the membership committee four years ago when
22 we did that class of new members, when we had about six
23 new members, Dave being one, we focused on getting
24 people on the RAB that had financial backgrounds and
25 business backgrounds, trying to balance the business

1 aspect with the technical aspects.

2 And so we've been kind of working towards
3 this a long time, and I'm equally frustrated and I'm
4 really concerned about the ability of the program to
5 complete itself within the budget.

6 I just have no sense that we can actually
7 do this program and finish the cleanup in the Presidio
8 with the money that we have allocated.

9 FACILITATOR KERN: As far as what to do,
10 a couple of things come to mind. One, we could ask --
11 we could -- Dave and I and others, we could generate a
12 list in electronic format and request all of the data be
13 given to us in a certain way that we could then put into
14 our own reporting structure that would effectively
15 duplicate what we're asking the trust to do -- that's
16 one course of action -- and demonstrate through our own
17 hard labor what it would be that we're looking for
18 because we take the responsibility on ourselves.

19 We may not have communicated over the last
20 few years what we really need.

21 I think that's a little bit of overkill,
22 but it is something I would consider doing is asking for
23 the electronic data.

24 Another thing that we can do is write a
25 resolution and begin to talk about this in strong ways

1 to people that need to know about it and report as an
2 advisory group that this has gone on long enough and
3 that other things, other actions need to be taken.

4 It just cannot continue to go at this
5 pace, that no report is generated.

6 So perhaps I should give everyone, if you
7 haven't had a moment to actually read this for a few
8 moments.

9 MR. LUIKART: Has it been eight months or
10 twelve months? Dave says twelve.

11 MS. MONAGHAN: I went back through my
12 notes, and my notes have been down that it's eight
13 months.

14 MR. SUTTER: My memory is that he came on
15 board about May of 2004. Craig would know for sure.
16 That's just my memory. But I have a memo in the file
17 from Craig to the RAB saying -- saying, "I'm now
18 bringing on board this expert, Alan Anchuta" and it was
19 dated May of 2004, so I assume that's when he came on
20 board.

21 FACILITATOR KERN: So I -- it looks like
22 we'll have to double-check that.

23 MS. MONAGHAN: Yeah.

24 FACILITATOR KERN: Craig, do you have a
25 sense of when Alan came on?

1 MR. COOPER: May sounds about right.

2 FACILITATOR KERN: Do you have further
3 comment?

4 MR. LUIKART: I was going to ask Craig if
5 he has a comment on this discussion.

6 FACILITATOR KERN: Oh, okay.

7 MR. COOPER: Yes. I do. I haven't had a
8 chance to read this yet.

9 Well, I guess my -- you know, I could talk
10 about a little bit of what I inherited as far as
11 financial cost tracking and talk about what we have
12 accomplished over the last year since Alan has arrived
13 because I think an incredible amount of accomplishment
14 has been made, and at the last working group meeting,
15 all that was really discussed was the definition of one
16 particular, you know, column, which I sent an e-mail out
17 shortly after that working group meeting that fine, I
18 agree and that -- that column had been added now to our
19 cost tracking form.

20 So, you know, basically I inherited very
21 little as far as a structure. I inherited a system that
22 we had our 1998 program cost estimate and you inherited
23 a system where all my predecessor really did is count up
24 invoices and report that to Zurich, the insurance
25 company.

1 In the tracking the charge numbers that
2 she had was not even -- she didn't even have one charge
3 number per project. It was kind of scattered around.

4 She kind of grouped some sites together,
5 so we had to completely redo our -- our cost tracking
6 from the ground up, set up a charge number for every
7 single remediation project, establish a budget for that,
8 which had never been done before ever since 1998, and as
9 you know in 1998, our vision of what the sites were are
10 completely different as they are now. I think a lot of
11 new sites have come aboard.

12 We have I think now eighty to a hundred
13 individual charge numbers that we track. So eighty to a
14 hundred, you know, projects where we have now a budget
15 that we -- which is our estimate at completion budget,
16 and we are now tracking invoices approved realtime, so
17 we know how much money has been spent at each project,
18 subtracted against -- you know, we can -- you know, and
19 we can now track that realtime as an invoice comes in,
20 that -- and the project manager approves it. That gets
21 entered.

22 So I think that we now have a cost
23 tracking summary report based on a template that I've
24 handed out to Dave last November with now a new
25 understanding of what committed and recorded costs mean

1 and we've adjusted that for every single site, and that
2 is incredible progress.

3 I -- at the last working group meeting, I
4 handed out examples of our cost tracking summary report
5 for four sites, I believe, and that's what my agenda
6 said to do was to hand out the cost tracking summary
7 report for four sites, and so that's what I did, and I
8 feel like I've come through on every agenda item that
9 was put before me in the admin working group, and I --
10 I'm not too sure where that failure occurred.

11 MR. LUIKART: Could I follow up with one
12 question?

13 FACILITATOR KERN: Sure.

14 MR. LUIKART: It's only that -- is there
15 a difference between what Doug and Dave have requested
16 and what you feel they have requested? Is there a
17 difference in opinion between what you think your
18 request is and what Craig thinks your request is?

19 FACILITATOR KERN: I don't think so.

20 MR. LUIKART: You all agree -- excuse me.
21 If you all agree with what the request is, then is there
22 in your mind a time frame going forward by which you
23 will have completed and have available to us the
24 fulfillment of that request?

25 Because a year ago I thought it was going

1 to be within the year and then I guess that's where the
2 frustration level is.

3 Do you think it's going to take six more
4 months?

5 MR. COOPER: Just so I understand what
6 the request is, I've now handed out four project cost
7 summary reports. I assume you want all eight.

8 Is that the request?

9 FACILITATOR KERN: That's not exactly --

10 MR. COOPER: Remember last year I did a
11 program wide redo of the cost estimate, which I
12 presented to everybody, which is something that hasn't
13 been done since 1998, and I plan on doing that again
14 this year, which is everything rolled up by CERCLA
15 program, what our budget is, how much we've spent, how
16 much is our estimates.

17 That's a little one-pager that we can
18 redo, but, you know, I've handed out the four -- at the
19 project level, you want to drill down deeper.

20 I've handed out the four, you know, cost
21 summary reports and, you know, through the admin working
22 group meeting, I planned on handing out more and more
23 and more until you get all eighty or a hundred of them
24 and you'll see --

25 FACILITATOR KERN: I'm really pleased to

1 respond to -- to that, and what I would say is while,
2 yes, there's progress, we don't have a report and the
3 result of our last meeting, as Dave expressed, was one
4 where we spent perhaps an hour on one point, both you
5 and Alan resisting and arguing about the validity of
6 what we were requesting, and that was a difficult --
7 that was leading to a very high level of frustration,
8 and what it told us is that we didn't have confidence
9 that it was going to be delivered in what we thought
10 should be presented.

11 That's what our perception was of that
12 meeting, and yes, you responded by saying well, okay.
13 I'll do this, but that's been the tenor of the meetings,
14 is that our feeling about it is that there was always --
15 there's always something not quite adding up, and that's
16 why I'm -- that's why I'm making something out of this
17 is that I've got to air this out in front of this
18 group --

19 MR. COOPER: Mm-hmm.

20 FACILITATOR KERN: -- because that's what
21 our role is to do, and it was not -- it has gone on far
22 enough within the working group, and so that's my
23 feeling is that there -- there certainly you've
24 reported, we've talked a lot about all the details about
25 all the progress and, you know, we want to give you all

1 that credit. There was certainly nothing before you
2 came.

3 MR. COOPER: Yeah.

4 FACILITATOR KERN: What we're looking for
5 now is that report with the sites and all the numbers
6 and -- and the feeling that you actually know at a
7 fundamental level what it is that we're asking for and
8 agree with that, and as it appeared that you had over
9 the time, and it seemed like the tenor of our last
10 meeting was such -- and it has been at other meetings --
11 that you didn't agree with us and you didn't understand
12 what it was we were asking you.

13 You didn't really even understand why we
14 were asking for it, why we needed it and that you --
15 yes, you were agreeing to it, but it felt like you were
16 agreeing to it -- and we'll satisfy Doug and Dave rather
17 than knowing that's what you actually -- you need to
18 know that stuff.

19 MR. COOPER: Mm-hmm.

20 FACILITATOR KERN: That's kind of where
21 we're coming from. That was at the beginning of this
22 presentation, that not only was this something for us to
23 use, but it could be critical for your own use, as I'm
24 sure you've found much of what you've done has been
25 useful to your own work.

1 MR. COOPER: Mm-hmm.

2 FACILITATOR KERN: So that's how I would
3 respond to how -- you know, your sense of maybe there's
4 a disconnect.

5 Well, we -- we definitely have been trying
6 to communicate with you in those meetings, and both Dave
7 and I have felt that there was -- the tenor of -- from
8 both you and Alan you don't really need that.

9 MR. COOPER: Um.

10 FACILITATOR KERN: And we absolutely felt
11 like it was essential, and so there was like wow,
12 there's something missing.

13 MR. COOPER: Yeah. I don't remember that
14 tenor at the first meeting.

15 Do you remember the first meeting being
16 negative or --

17 FACILITATOR KERN: Well, I do remember
18 there --

19 MR. COOPER: We've only had two.

20 FACILITATOR KERN: The discussion is
21 always in oh, so that's what you wanted kind of like
22 we've been working on this a long time and it seemed
23 like the person that was hired would know what to do,
24 and that there have been disconnects that have made us
25 feel like we're wondering about it.

1 MR. COOPER: Okay. I'm only aware of the
2 disconnect that happened at the last meeting, the
3 definition --

4 MR. O'HARA: It raises the question.
5 Have you got the right guy?

6 MR. COOPER: Oh, man, if you want to -- I
7 think so. Absolutely. What we've accomplished so far
8 is incredible.

9 MR. SUTTER: I think -- I think Alan
10 is -- definitely has the necessary expertise and
11 experience and background. I don't know and I don't
12 feel confident that he truly has a committed direction
13 from the mediation management to use this tool the way
14 it was devised and the way it was developed in
15 consultation with --

16 MR. COOPER: Mm-hmm.

17 MR. SUTTER: -- the trust.

18 I think he's doing his analysis using
19 different methodologies than this one, and all that's
20 happening with this methodology is it's being -- it's
21 being used to try to make us happy.

22 It's not being used as the internal tool
23 that -- as it was intended for the trust to use, to
24 manage its own projects efficiently and cost
25 effectively. This is a tool.

1 MR. COOPER: Right.

2 MR. SUTTER: It provides a very useful
3 format for cost reporting, for management, for the trust
4 board of directors, but essentially it's a tool for the
5 management, the cost management of projects as they
6 progress, through planning, through design, through
7 construction, through closeouts, it's a very useful tool
8 to control the expenditures on a project and to see
9 where you have potential problems; that is, you're
10 moving along in a project.

11 It identifies cost trends. It identifies
12 potential overruns, but quite frankly, and I'll say this
13 again. I just don't feel that there is the commitment
14 on the part of the mediation management to use this tool
15 the way it was developed and presented and recommended.

16 MR. COOPER: Um.

17 FACILITATOR KERN: George.

18 MR. SUTTER: That's the source of my
19 frustration.

20 MR. DIES: I've learned something new
21 tonight, that invoices were regularly submitted to the
22 insurance company.

23 Has there ever been report from the
24 insurance company back listing the invoices, giving
25 totals per project?

1 MR. COOPER: Yeah. I've talked about
2 this when we did the -- the discussion about the
3 insurance policy that I quarterly report -- on a
4 quarterly basis, I report invoices to the insurance
5 company and then they report back.

6 You know, there's this allowable and
7 unallowable expenditure thing under the cost overrun
8 insurance policy. Remember that.

9 They write me back. For every report I
10 send out, they write me back a letter saying that these
11 are allowable expenditures and these we are questioning.
12 It's unallowable.

13 MR. DIES: Is that segregated by project?

14 MR. COOPER: Yes.

15 MR. DIES: Can we get copies?

16 MR. COOPER: I think so, yeah. It's --
17 again, in the old days under Sharon --

18 MR. DIES: Would it not be useful to
19 compare what at least Zurich has said the total of
20 allowable and unallowable was to the trust so that the
21 original estimate -- in my mind, that's a start.

22 FACILITATOR KERN: Right.

23 MR. COOPER: Mm-hmm.

24 MR. DIES: So if we could get those and
25 compare to the original estimates.

1 FACILITATOR KERN: Mary.

2 MS. TRIGIANI: A question for Dave and
3 Doug. We're advo -- we're suggesting a certain form of
4 project management reporting.

5 Is that, as far as you can tell, in
6 conflict with how the trust manages its internal
7 controls to meet any duties of transparency and
8 governance, and do those not exist in the public sector
9 the way they now do for the private sector? Do you see
10 what I'm asking?

11 MR. SUTTER: I can't comment upon how the
12 trust -- the trust meets their internal, you know,
13 reporting requirements. I just --

14 MS. TRIGIANI: What I'm asking, do
15 they -- does the trust have some mechanism in place that
16 would satisfy our needs for information? And I am in
17 total support of -- 150 percent support of this
18 resolution, but what I'm trying to get at is why we are
19 not getting our questions answered? And are we -- are
20 we asking them to answer our questions or are we asking
21 them to manage their projects in a certain way or both?

22 MR. SUTTER: Both.

23 MS. TRIGIANI: Okay.

24 MR. SUTTER: This is a cost tracking and
25 cost reporting system and methodology, which was agreed

1 upon by everybody involved --

2 MS. TRIGIANI: Okay, and as far as you
3 know --

4 MR. SUTTER: -- in 2003.

5 MS. TRIGIANI: -- it's not in conflict
6 with a set of practices that the trust has for managing
7 its business?

8 MR. SUTTER: Is not as far as I know.

9 FACILITATOR KERN: Jack.

10 MR. LUIKART: Two real quick questions.
11 Are you now cost tracking every invoice?

12 MR. COOPER: Yes.

13 MR. LUIKART: Okay. Then all you're
14 doing now is proceeding back in time to 1998 to
15 determine which invoices go into which box?

16 MR. COOPER: Been done.

17 MR. LUIKART: And that's taking a lot of
18 time. You've done it all?

19 MR. COOPER: Yes.

20 MR. LUIKART: So you've done it. I was
21 going to say --

22 MR. COOPER: That -- right. I mean,
23 that -- I'll double-check this with Alan that we were
24 tracking obligations on our cost tracking form and now
25 we're tracking invoices approved and that --

1 MR. LUIKART: You haven't gone back in
2 time totally and tracked each --

3 MR. COOPER: The invoices?

4 MR. LUIKART: -- historic invoice to its
5 proper category. That's the issue we're dealing with to
6 develop the --

7 MR. COOPER: To sort those invoices out
8 by --

9 MR. LUIKART: By --

10 MR. COOPER: -- project.

11 MR. LUIKART: Is that what's holding up
12 the final report?

13 MR. COOPER: I -- I think that we made
14 even a lot of progress on that now. So we have -- for
15 each project now, you know, Dave's seen the template.
16 We have an understanding of what reported and committee
17 costs means and we're tracking obligations and invoices
18 approved for every single project in realtime as
19 invoices come in.

20 So one thing I want to do because I'm --
21 so to kind of answer your question, Mary, is that the
22 trust does have a manual on how to do procurement --

23 MS. TRIGIANI: Right.

24 MR. COOPER: -- and what the flow chart
25 is on that.

1 What I want to do is write our own
2 procedures just so there's no transparency in the
3 process so that you guys get an understanding of how we
4 scope --

5 MS. TRIGIANI: Does your boss ask you
6 questions about how much have you spent and how much is
7 left and how far how much are you going to need? Do you
8 get those kinds of questions?

9 MR. COOPER: Yes. Yes, I do.

10 MS. TRIGIANI: How do you answer them?

11 MR. COOPER: I show him -- if it's on a
12 particular project, I print out my cost -- my project
13 cost and tracking form and say this is what -- this is
14 what the latest status is.

15 And so I think we're almost -- I know you
16 guys have lost patience and you have the right to lose
17 patience, but I -- I won't know where -- other than I
18 want to write down my procedures, you know, just so
19 there's transparency on that, not only on how I am going
20 to use my cost tracking project form as a cost
21 management tool.

22 I think that's what Dave's been asking for
23 from the very beginning, and it has taken a long time to
24 get these together -- to sort of all the old costs, get
25 all the money into the right buckets and prepare these

1 eighty plus cost tracking summary forms for each and
2 every project, and now it's about making them useful,
3 and that's what -- and I'm not doing it to make you guys
4 feel good, but you're right.

5 To make it useful for each trust project
6 manager and for the program in general to see -- to make
7 sure that we do our best efforts to, you know, stay
8 under the hundred million, and I want to get those
9 processes written down, because that's going to be the
10 best way to train my -- all my project managers.

11 So we get into these feedback groups and
12 we check our cost tracking summary form, you know, and
13 there's a feedback group on how this is going to be
14 useful for making decisions down the road.

15 FACILITATOR KERN: Jack.

16 MR. LUIKART: I'll be quick, I hope,
17 again. We've spent how much money roughly to date of
18 the hundred million?

19 MR. COOPER: 35 million.

20 MR. LUIKART: Okay. 35 million.

21 Do you have all 35 million in --

22 MR. COOPER: Buckets, yes.

23 MR. LUIKART: So you are all buzzed
24 within reach of a report that you can give us that will
25 show each bucket and the dates and times of all the

1 invoices totaling up under those eighty particular
2 sites?

3 MR. COOPER: With the cost rolled up,
4 yeah. It will say: "Invoices approved." We'll have a
5 number for each project.

6 MR. LUIKART: And when do you think that
7 will be available?

8 MR. COOPER: Do you want one for all
9 eight? We need to have our hands on what will be an
10 acceptable report.

11 Are you using these things in an effective
12 way as a cost management tool? And I think I need to --
13 I think that we're just -- you know, there were other
14 cost control strategies that we had in place and this
15 cost tracking summary report, it's just yet a new one
16 that we can use for that, and I want to get the portion
17 written down so that we all understand what -- how often
18 do we look at these things and what do we do to make
19 them useful. As that's the other one,

20 And the other one is to all have eighty
21 cost tracking summary reports presented to you in a way
22 that you feel that we have actually done them, because
23 you're right. I've only handed out four or five of
24 them.

25 As far as you know, the other seventy

1 aren't done, and -- but I --

2 FACILITATOR KERN: Here's what I would
3 recommend is -- I'm certainly willing to suspend my
4 disbelief which I currently am very skeptical and it
5 takes me a long time to get from optimistic and
6 everything is great to where I am now. So I can try to
7 suspend that.

8 I recommend that the next committee
9 meeting in two weeks be devoted to this. You can
10 present what you have to the larger group, because I
11 think Dave and I are at the point where we've given you
12 the input that we know to give and we -- we've conferred
13 on this and we're -- we just -- now we're skeptical, and
14 so maybe we're wrong; put it out in front of the rest of
15 the group, and I recommend that we take an hour at the
16 next meeting, the first hour an exchange with Craig and
17 then the second hour will be in executive session and
18 that this be discussed and decided, you know, is it
19 enough in this resolution were Dave and I out to lunch.
20 Did we have too many martinis if we were out at lunch.
21 You know, give us some feedback.

22 MS. BLUM: Rather than present something
23 like that to the entire community RAB, my thought
24 process would be to present it to a larger group of
25 people who have keen eyes on the bottom line and know

1 how to read these statements and find out what's missing
2 rather than people who may or may not know what we're
3 looking at or its relevance to that particular problem
4 and some of that kind of thing.

5 FACILITATOR KERN: Okay.

6 MS. BLUM: I would keep it very focused.

7 FACILITATOR KERN: Dave.

8 MR. SUTTER: Yeah. I would second your
9 idea for the committee meeting, planning committee
10 meeting.

11 However, I would reverse the order of
12 these items. Let's have the executive session first.
13 Then we can have -- have a discussion with a session
14 with Craig on the cost reporting.

15 FACILITATOR KERN: Other discussion?
16 Pete.

17 MR. O'HARA: I'm absolutely confused. I
18 hear the two of you saying we're not getting the
19 information and I hear Craig saying it's done. It's
20 there.

21 I've served with Doug on the RAB for
22 twelve years and I have never heard his frustration
23 level get this high. Something -- something's not
24 right. You guys may be talking at each other, but
25 you're not listening.

1 You might hear one thing and they're
2 hearing something else. I've never seen a situation yet
3 to where we're -- we're proposing a resolution to
4 ratchet up the -- the heat here and I don't think that
5 that is a good way to do business.

6 There is obviously something missing in
7 the dialogue, and what I would suggest is you go back
8 for one more shot at it and lay it out so that you each
9 understand what the other is doing and your expectations
10 are focused on one goal with a -- with a drop dead date.

11 MR. COOPER: Mm-hmm.

12 MR. O'HARA: And if that's not acceptable
13 to either one of the groups, then we proceed with this,
14 but my sense is that we have rational people here that
15 are frustrated.

16 You think that you're complying with what
17 it is that these fellows are asking for and these guys
18 are saying it just isn't going to happen.

19 MR. COOPER: Right.

20 MR. O'HARA: And to me that means that
21 you're not sitting down and getting the issue on to the
22 table and qualified so that you both understand exactly
23 what it is that you need to produce to achieve the
24 desired result.

25 FACILITATOR KERN: I can't argue with

1 that.

2 MR. SUTTER: I can. I have spoken ad
3 nauseum explaining this cost tracking and reporting
4 system for every two years now, and every time we meet,
5 there are new objections, there are new mis-
6 understandings to the elements of it.

7 I am just sick and tired of talking. It's
8 very simple. It's very straightforward. It's rocket --
9 it's not rocket science. Just do it. It's simple. You
10 got all the -- the capability now. You got the
11 financial analyst, the expert. You've got the data
12 developed.

13 Just do it, prepare the reports in
14 accordance with the agreed upon format. I don't -- I am
15 just not prepared to continue in these meetings where
16 things that we thought were understood and clearly
17 agreed to the previous meeting, that something new is
18 questioned, something new is misunderstood.

19 This is getting to be a circle jerk, and I
20 am just not prepared to participate in this kind of
21 circle jerk any longer.

22 Just do the reports the way you've agreed
23 to do them or not. I am not going to waiver --

24 MR. O'HARA: There's a lever here.

25 MR. SUTTER: And if you're concerned

1 about this, Peter, why don't you sit in on one of these
2 meetings?

3 MR. O'HARA: I don't have a problem with
4 that.

5 MR. SUTTER: If you're really concerned
6 that there's communication problems, why don't you sit
7 in on these meetings and maybe you could -- maybe you
8 can solve the problems rather than orate about them.

9 MR. O'HARA: I don't have a problem with
10 that.

11 FACILITATOR KERN: Well, in the -- in the
12 analysis here, I think it was appropriate and important
13 to raise this to the group.

14 I think Dave is reflecting very
15 appropriately the level of frustration and I think,
16 Peter, you're recognizing that there's a serious
17 disconnect, and I would not have done this if I thought
18 another meeting was going to help.

19 I -- I appreciate your suggestion and I'm
20 always willing to meet, and I do share Dave's feelings
21 about it, that there's a sense I have that, as he said,
22 that this -- this whole project is just being done
23 almost -- we're given this report that it's being done
24 to kind of meet us and almost keep us happy and it's not
25 being used, and I'm willing to be proven wrong on that.

1 I am willing to be shown otherwise, but I needed some
2 other people to participate in this.

3 MS. PASSERO: Can you go back to the
4 earlier recommendation, then, for the next committee
5 meeting, just reiterate that? It would be an hour to
6 talk about this issue and an hour to say --

7 FACILITATOR KERN: I think if it's done,
8 if the reports are done, if there -- if they can pass
9 scrutiny, then they're done and it should be no problem
10 to bring them to such a meeting and lay them out and
11 everybody should be able to go through them and get it
12 and they should be a short meeting. It should be even
13 know discussion.

14 It will be done, so -- yes, Mary.

15 MS. TRIGIANI: Doug, I know we're over
16 time, but my mind leaps from this particular problem to
17 essentially the process of the RAB working with the
18 trust, and, you know, Craig, the thing I want to express
19 is that if there is some sort of an obstacle and the --
20 into pulling us into the tent, I'm very concerned going
21 forward because that's behind this whole working
22 group -- group concept and livening that, working with
23 you, acting as a partner, and if these folks have been
24 working on this for a couple of years and there have
25 been obstacles to doing this and it turns out it's sort

1 of either an emotional, political or bureaucratic
2 obstacle, we really have to work hard to get through
3 that, and I want to go on the record as saying as a
4 community member, I'm really going to be watching this
5 and this new process that we're trying to implement as a
6 way to try to help us all get this park cleaned up in a
7 way that is cost-efficient and permanently effective,
8 and this problem that these guys are articulating is of
9 great concern to me because as Peter pointed out,
10 there's -- there's a disconnect here and we need to get
11 to the bottom of it, and they know -- they already have
12 a sense of what that disconnect is, so I really urge you
13 to -- to kind of dive into this for us.

14 Thank you, Doug.

15 FACILITATOR KERN: That's my proposal for
16 the next meeting is to -- I'm willing to, you know, fall
17 on my sword and be shown that I'm out to lunch about
18 this, but I'm -- I guess I'm relatively confident in my
19 skepticism.

20 So if that -- I suggest that that be the
21 content for our next committee meeting.

22 MR. ULLENSVANG: Doug, can I offer
23 something? I'm sure Craig's thinking right now on this
24 issue, but just from an administrative standpoint, the
25 trust was proposing at the next committee meeting to

1 talk about 207 and that document is coming out -- is
2 required by Jim for July 15th submittal, and the idea
3 was to talk at the RAB early as opposed to waiting until
4 June when it's really too late to make significant
5 changes, and the RAB may want to consider how that
6 balances into the committee meeting and weigh what the
7 choices are so that the trust can act accordingly.

8 I know their consultant's getting graphics
9 together to help the dialogue.

10 FACILITATOR KERN: Well, that's quite
11 important that you brought that up and I appreciate
12 that, and what I would recommend is that that continue
13 and that we form -- we get our 207/231 working group
14 together, whether it's three or four people, and that we
15 meet separately and begin the working group process so
16 that is curtailed, but it seems to me that whatever site
17 action goes on from here, if we do not have solid
18 financial information, we're really just -- it's a key
19 part of that that we're missing.

20 So I will -- I would ask you to consider
21 if you would like to be in that working group. We'll
22 try to set up some sort of meeting, whether it's before
23 or -- you know, we'll try to arrange a time.

24 Thank you for bringing that up.

25 MS. TRIGIANI: Put me down for that,

1 Doug. I urge anyone else that might be interested to do
2 that. I really am in support of this working group
3 concept.

4 FACILITATOR KERN: Okay. We need to move
5 on to the next topic. And the next topic is the Army
6 response, the trust response to the Army regarding the
7 mustard agent site, and Craig, I think there was
8 supposed to be a person from the public here tonight,
9 but then you mentioned that that person couldn't make
10 it.

11 MR. COOPER: Mm-hmm.

12 FACILITATOR KERN: So is there anything
13 that we'd like to talk about at this point having been
14 raked over the coals by me about the money part of it?

15 MR. COOPER: Well, you know about the
16 draft last week, and I got an e-mail from George
17 requesting that we reiterate on the section regarding
18 where we -- where the Army said we need -- three of the
19 sites need further work.

20 I think he suggested that we either --
21 let's see -- put some kind of schedule together on that
22 or just reiterate that the Army needs to move fast on
23 those three sites, and I think I've got a sentence in
24 there right now, George. I can show you where that is
25 in the letter, but that's the only comment I've received

1 so far on this letter.

2 And I plan on, you know -- if you want to
3 add/subtract anything from this letter, I plan on
4 finalizing it and mailing it tomorrow.

5 It's time to, you know, get this to the
6 Army so we can proceed, so any other -- any comments on
7 this? Everyone got this, I'm assuming.

8 MS. TRIGIANI: Yeah.

9 MR. LUIKART: Yeah. It was good.

10 MR. COOPER: Thanks.

11 I have not called Bruce Handel saying that
12 this letter's coming. I guess I should call him
13 tomorrow. I'm sure he's not going to be all that
14 thrilled about it, and I -- you know, I think we've
15 talked about it before.

16 I've tried to be encouraging on the three
17 sites where he wants to do more work, but I asked a lot
18 of -- you know, I framed a lot of questions on trying to
19 set up our expectations on what would be acceptable for,
20 you know, how to get to a no further action on the site,
21 as well, and he has not given us that information that
22 will let us get to a no further action.

23 And Bob, did you have any comments on
24 this?

25 MR. BOGGS: Not yet, but we're going to

1 probably write a letter from the agency, as well.

2 MR. COOPER: Okay.

3 MR. BOGGS: So he'll be receiving a two-
4 pronged --

5 MR. COOPER: I know, that -- George, on
6 the whole schedule thing, because I asked him. I asked
7 Bruce Handel from the Army what do you -- who do you
8 really look to as far as pushing it along. He said
9 straight out it's not the trust.

10 As you know, take a look at my letters
11 that I'm going to be attaching to this letter. I've
12 written two letters on this issue before. My first or
13 second one, I put together a schedule for Bruce to
14 follow, you know, with specific deadlines for
15 milestones. I've done that.

16 You know, I don't even think he met
17 milestone number one, so a letter -- me doing that
18 again, George, I could do it. I don't think it will --
19 I think it's a bit of a waste of my time.

20 MR. DIES: No. I didn't mean to propose
21 a schedule. So I think they're also impervious to
22 criticism. They may not be impervious to money. You
23 might want to add what the accrued costs to date are for
24 holding the -- the mustard site mound intact.
25 Something --

1 MR. COOPER: Right.

2 MR. DIES: -- along those lines. Those
3 delays are insipient PR disaster and a waste of taxpayer
4 money, and somebody ought to call them out on that.

5 MR. LUIKART: Is there anyone you can cc
6 to add greater leverage?

7 MR. COOPER: Well, you know, he did say
8 he looks to DTSC as the real stick to move them along,
9 and I'm cc'g Bob.

10 I guess I could also cc people higher --
11 like his boss, the office in Washington, maybe.

12 MR. LUIKART: Or a Congressman or a
13 senator or would this -- is that doing anything?

14 MR. COOPER: For this particular letter,
15 I'd rather not --

16 MR. LUIKART: Okay.

17 MR. COOPER: -- go that way.

18 You guys can certainly, you know, go that
19 route. I think -- yeah. Behind the scenes, I think I
20 told you that we were going to have someone call -- go
21 the political route, you know, and make some inquiries,
22 but then the Army came through with that short letter,
23 you know, the one that's so disappointing now that we're
24 writing this letter about.

25 So I think I've got to get my letter out

1 and then wait again to see how quickly they respond
2 before I, you know --

3 MR. ULLENSVANG: And Bob's agency letter
4 will throw that.

5 MR. COOPER: Maybe your letter can set up
6 some specific, you know, guidelines.

7 MR. BOGGS: We'll try. The Army -- the
8 Army oftentimes Marches to their own drummer at some of
9 these other sites.

10 We do have some leverage, but if they're
11 determined one way or the other, it's difficult to get
12 them to move real quickly.

13 MR. COOPER: Yeah.

14 MR. BOGGS: But we just need to start
15 walking down that road and eventually progress usually
16 does get made.

17 FACILITATOR KERN: Very good. Thank you.
18 Reports from our regulators. Bob.
19 Anything?

20 MR. BOGGS: Just a couple quick things
21 that might relate to where you guys are changing your
22 format and your focus.

23 RAP 3 has a -- quite a number of sites,
24 and that's actually a decision document that gets
25 signed, and that's kind of -- once that gets signed, you

1 guys don't have a lot of opportunity to comment on these
2 sites.

3 I'm actually meeting with management to go
4 over our comments regarding the Draft RAP, and we have
5 quite a few. I've had over twenty pages of comments
6 that we get down into some real detail on some of these
7 sites, but there's still some concerns that need to be
8 addressed.

9 So part of your focus in -- for making
10 these meetings more efficient, you may want to try to
11 prioritize or schedule some of those sites that are
12 important to the RAB and actually get those
13 subcommittees going because public comment period for
14 that where formal comments are accepted and have to be
15 formally responded to should be happening within the
16 next few months, and so it's kind of your window now to
17 really make a difference regarding those -- those RAP
18 sites, so you may want to prioritize those a little bit.

19 The other thing that came up along those
20 lines, we had a management meeting in Sacramento, and
21 there was a recently passed bill, SB 12, that has to do
22 with CEQA and people, and basically what's happening now
23 is for any project coming through CEQA, the Native
24 American Heritage Institute or something -- I don't know
25 the exact acronym, they're getting involved and they

1 sent a letter out to all the local tribes. We will have
2 to have them get involved with these projects, as well.

3 It's anticipated it's going to cause a
4 delay at the agency end because all comments to them
5 actually have to go from our director. There's
6 something about it of a leader talking to a leader that
7 I don't see for DTSC, and so any interactions from this
8 agency to them has to go leader to leader.

9 So everything coming from me has got to go
10 through the management chain. So they're predicting
11 it's going to be a couple months delay just dealing with
12 those concerns that will be raised.

13 Presidio's probably -- because
14 historically the Ohlone tribe has gotten involved here
15 and shown some concern at various times, we will
16 probably have some interfacing to do with that.

17 FACILITATOR KERN: Questions for Bob?
18 Jim, anything?

19 MR. PONTON: No.

20 FACILITATOR KERN: Okay. Any new
21 business?

22 So we're going to -- there's actually one
23 rather significant -- we should be able to proceed well
24 with our next meeting given that agenda, and I will try
25 to organize with Craig and Brian something about a

1 working group and the 207/231 site.

2 I will -- I am taking off on another trip,
3 however. I've been given the opportunity to go to
4 Portugal to do some water quality testing, which is what
5 I do in my daily life, and so it's a great opportunity,
6 and I leave on the 23rd, which is probably a day before
7 the next committee meeting, so I will leave it -- that
8 committee meeting for all of us to interact and to make
9 your best judgments regarding the financial information.

10 I should be back just prior to the next
11 meeting, so I'm going to talk with some of you to be
12 arranging for the agenda in this format so that we're
13 ready to go for our next full RAB meeting.

14 Are there any other items before we close
15 the meeting?

16 Thanks to everyone for your participation,
17 coming out tonight. Appreciate that, and without
18 objection, the meeting is adjourned.

19 (The meeting concluded at 9:21 PM).

20 ---oOo---

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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN FRANCISCO)
3

4 I, the undersigned, hereby certify that the
5 discussion in the foregoing meeting was taken at the
6 time and place therein stated; that the foregoing is a
7 full, true and complete record of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the
10 foregoing meeting and caption named, or in any way
11 interested in the outcome of the cause named in said
12 action.

13
14 IN WITNESS WHEREOF, I have
15 hereunto set my hand this
16 _____ day of _____,
17 2005.

18
19 _____
20 Mark I. Brickman CSR 5527
21
22
23
24
25

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, JUNE 14, 2005

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR

License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator (Absent)

Mark Youngkin, Co-Chair

Peter O'Hara

Craig Cooper

Brian Ullensvang

Jim Ponton

Sara Segal

Gloria Gee

Sam Berman

Julian Hulgren

John Budroe

Gloria Yaros

Michelle Passero

Jan Blum

Mark Trigiani

Julie Cheever

David Sutter

Edward Callanan

Bob Boggs

John Luikart

Also present:

John catts

Mark Frey

Jeff Deis

John de Witt

Richard Perry

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on June 14, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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AGENDA

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1) Welcome and Introductions - Mark Youngkin:	4
2) Agenda Discussion and Approval:	4
3) Committee Business & Reports -	
RAB working group progreess report:	5
4) Reports and Discussions - Craig Cooper	
Draft Landfill 8&10 Feasibility Study:	27
5) Regulatory Agency Status Updates/Input -	
Robert Boggs, Toxic Substances Control: None	
Jim Ponton, Reg Water Quality Control Bd:	97
6) Announcements and Old Business:	13
7) Review of action items, agenda items:	97
8) Adjournment:	100

1 MR. YOUNGKIN: Good evening. I don't see
2 Doug Kern. I think we'll go ahead and start without
3 him.

4 This is the regularly scheduled monthly
5 meeting of the Restoration Advisory Board of the
6 Presidio of San Francisco. I'm Mark Youngkin, co-chair.
7 Doug Kern, our facilitator, is in Portugal, I believe.
8 I hope he had a good trip back. He's supposed to arrive
9 today. Rob hundreds of tourists on the beach.

10 MR. BOGGS: Doug was one of them?

11 MR. YOUNGKIN: I hope not.

12 MR. O'HARA: Maybe he isn't coming.

13 MR. YOUNGKIN: Does everyone have a copy
14 of the agenda?

15 MR. BERMAN: The real reason that Doug
16 went to Portugal is there is a well-known site there in
17 the mountains above the autograph called FOIA.

18 MR. YOUNGKIN: That's a RAB joke.
19 Does anybody have any questions about the
20 agenda?

21 MR. BERMAN: That's the highest point in
22 the Olgar.

23 MR. YOUNGKIN: Seeing none, we'll move
24 on.

25 Committee business and reports. We had

1 the -- Dave Sutter here? Dave. Last committee meeting,
2 we had spent quite a bit of time talking about the
3 financial report, and Dave, can you give us a little
4 update on that?

5 MR. SUTTER: Yeah. At the last committee
6 meeting, Craig had submitted updates on the summary
7 tracking reports plus an overall budget program, budget
8 update, and when the RAB met afterwards, what we agreed
9 to do was since Doug is enjoying the riots in Portugal,
10 and as soon as he gets back, since he's the other member
11 of the working group on the financial reporting, I would
12 get together with him, go over with him the -- the
13 current updates that Craig provided, and then Doug and I
14 would put together a report for the RAB on the current
15 status of the reports, the reporting methodology, and
16 hopefully I plan to be in touch with Doug tomorrow or
17 Thursday, see about when he and I can get together, and
18 hopefully we'll be able to report something at the next
19 committee meeting to the RAB. That's the target.

20 MR. BERMAN: Can you give us -- I
21 unfortunately couldn't make the meeting. I wonder if
22 you can give us an inkling of your impressions.

23 MR. SUTTER: Well, since -- since the
24 last committee meeting, I haven't gone through Doug's or
25 Craig's updates in detail. I was sort of out of things

1 for a week with bronchitis and I was sort of out of
2 things for a week with jury duty, but from just my brief
3 scanning of the -- of the updates, there's still --
4 there's still work to be done on these, I believe.

5 But I want to get together with Doug
6 because he had concerns about some aspects of the course
7 reporting from previous meetings that we had had, and
8 basically go over it in detail with Doug so that we can
9 come up with an agreed upon list of recommendations to
10 the -- to the RAB.

11 MR. YOUNGKIN: Peter.

12 MR. O'HARA: I recall at the last meeting
13 last month there was a significant difference of opinion
14 between what Craig thought he was giving you and you
15 were not receiving, and I'm wondering at this particular
16 point has that issue been resolved?

17 MR. SUTTER: No. Again, as I mentioned,
18 through these other circumstances, I haven't -- I
19 haven't gone through the current updates in detail. I
20 intend to do that this week.

21 So I can't really evaluate at this point
22 whether -- whether some of the fundamental problems that
23 Doug and I had been concerned about, whether those had
24 been addressed in -- in Craig's current updates.

25 So I guess what I'm saying is the jury is

1 still out on that at the moment. Hopefully by -- by the
2 next committee meeting, if Doug and I can get together
3 and go over all this stuff, we'll be able to report on
4 these -- these fundamental kind of issues as well as the
5 detail that's in the reports.

6 MR. O'HARA: I'm sort of curious --
7 curious as to -- you seem to want to receive basic
8 information and what you're receiving is questions as to
9 why you want to receive it.

10 Is that my understanding or is there
11 something that I'm missing?

12 MR. SUTTER: I don't understand your
13 question, Peter.

14 MR. O'HARA: All right. Then I'll pass.

15 MR. COOPER: I mean, at the last
16 committee meeting, I handed out my first full and
17 complete financial report, and I think that's what Dave
18 was expecting from the get-go and I think we just
19 miscommunicated.

20 I was trying -- I thought the admin
21 working group meeting was about trying to work on pieces
22 of and fit it together, but based on the last RAB
23 meeting, I basically realized that Dave just wants the
24 report. Just send it out.

25 So at the last committee meeting, that's

1 what I did. I sent out a full and complete financial
2 report. It's the first time that we've done this in a
3 way that's completely comprehensive with budgets and
4 cost tracking for every single remediation site that we
5 have at the Presidio.

6 So -- now, you know, Dave needs to take a
7 look at it and we can go from there.

8 MR. O'HARA: Thank you.

9 MR. COOPER: And if anyone else wants a
10 copy, I know that there was a lot of people at the last
11 committee meeting, but if you weren't at the last
12 committee meeting and you want a copy of the financial
13 report that I distributed, you know, just raise your
14 hand now.

15 I can jot down your name and make you a
16 copy or you can tell me at the break or something.
17 Gloria? You'd like a copy. Anyone else?

18 MR. O'HARA: Craig, could you e-mail me a
19 copy?

20 MR. COOPER: It's hard copy. I -- yeah.
21 Hard copy would be best.

22 MR. O'HARA: Thank you.

23 MR. COOPER: Mm-hmm. I've got extra
24 copies. Okay. Great.

25 MR. YOUNGKIN: Thanks, Dave.

1 MS. BLUM: Just one more comment. Craig,
2 I believe in our last meeting, you said that there were
3 certain corrections that you needed to make just even in
4 the information that we got, so I'm wondering if those
5 have been made and maybe we should all get new copies,
6 or if it's -- the information is pretty much the same
7 way --

8 MR. COOPER: It's pretty much. At least
9 the feedback that I got was more like formatting, how to
10 name columns and headers, things like that.

11 I'm going to be issuing these reports
12 every quarter. I plan on incorporating the feedback
13 that I've gotten so far in the next quarter's --

14 MS. BLUM: Okay.

15 MR. COOPER: -- financial report, which
16 will come out, you know -- I'm going to try -- you know,
17 this last one kind of went out in the middle of a
18 quarter because we -- there was a cost as of the end of
19 April, whereas at the end of March is actually the end
20 of the quarter.

21 So the end of June is the end of another
22 quarter, the end of this month, so I'll be coming out
23 with another financial report sometime in July.

24 So --

25 MS. BLUM: Thank you.

1 MR. COOPER: -- I'll be making those
2 corrections at that time.

3 MR. SUTTER: Yeah. Let me just summarize
4 by saying that at the moment from -- from my brief
5 review two weeks ago, the cost summary tracking reports,
6 which are the basic project spreadsheet reports, still
7 have significant deficiencies.

8 We pointed some of those out at the
9 committee meeting two weeks ago and we will be
10 summarizing those -- -- Doug and I will be summarizing
11 those in our report to the RAB at the next committee
12 meeting.

13 MR. O'HARA: I have one thing.

14 Craig, in terms of the trust, are you
15 getting these reports to the people that you report to
16 and has there been any reaction in terms of the
17 substance or the concept?

18 MR. COOPER: Um, yeah. Jeff definitely
19 got a copy. He got a copy about just -- well, actually,
20 we had kind of a preliminary draft a couple weeks before
21 the RAB committee meeting and he got final version like
22 the day before the RAB committee meeting, and, you know,
23 we've -- we've spent sometime on some of the projects
24 that have cost overruns and what are some of the causes
25 and contributing factors to that.

1 So we spent a long time talking about that
2 as I'm sure we'll continue to. You know, as -- you
3 know, we right now are estimated complete shows that we
4 don't have enough money right now to finish all of our
5 projects, so that of course is a concern, as well,
6 but --

7 MR. DEIS: I'm Jeff Deis. I work with
8 Craig and Craig reports to me, and yes, I have seen the
9 report. We've gone over it. Craig's given it to me.

10 I'm still a bit in the educational mode.
11 I'm learning about what Craig's doing, and having
12 spreadsheets he put together were very helpful for me.

13 I had a number of questions on it and
14 we're still kind of going through it, you know, and kind
15 of getting a better understanding of why we're not --
16 we're not projected to be within budget through the
17 completion of all the projects and what we can do to
18 correct that, a better understanding of what Craig is
19 doing.

20 So I can't say that I've got my real
21 definitive response other than the fact that I am trying
22 to understand the dynamics behind the numbers.

23 MR. O'HARA: Obviously the RAB is a -- an
24 oversight committee. It was very important to us to
25 find out where the trust was in terms of expenditures,

1 where the money was going, how it was being spent, and
2 more importantly is there going to be enough money at
3 the -- at the end of this cleanup period to fund all of
4 the projects.

5 It's a tool for us, but I think as well it
6 was intended to be a management tool because there was
7 nothing in place, and so I think your -- from your
8 perspective, it would be very important to this body to
9 get a -- a critical reaction to what it is we're asking
10 for and how it does or does not help you.

11 MR. COOPER: Well, yeah. We did it
12 primarily first for ourselves, because you're right. We
13 did not have -- other than, you know, invoice tracking,
14 we didn't have this level of project level budget and
15 cost tracking system in place.

16 You know, something that we're not going
17 to be keeping up-to-date, you know, with these monthly
18 internal updates and quarterly external updates.

19 So, I mean, you're right. The first user
20 of these reports is us at the trust, and then the
21 secondary user is the RAB and other public members who
22 want to know where the money's going and how are we
23 doing budget-wise and things like that.

24 So this is -- this is a tool for the trust
25 to use for managing this program from at least the

1 finances from this point to conclusion. We're going to
2 keep it going.

3 MR. O'HARA: Okay.

4 MR. YOUNGKIN: Okay. Any other
5 discussion of the committee reports?

6 Let's move on. Any other announcements?
7 We kind of went over it pretty fast.

8 MR. COOPER: I want to introduce -- he
9 introduced himself a bit. This is Jeff Deis, the new
10 chief operating officer for the new Presidio Trust.

11 He got hired three months ago and he's --
12 like he said, he's my boss and I'd like to welcome him
13 again to the Presidio.

14 He lives on supper sunny slough, and he
15 has come tonight to get to know a little bit and he can
16 talk a little bit about the trust.

17 MR. DEIS: It's good to be here and get
18 to know everybody and it's a pleasure to join you at one
19 of your evening meeting.

20 I've been in commercial real estate
21 development and management most of my career. I started
22 out at the Irvine Company in Southern California in
23 Orange County and I was with them for ten years doing
24 asset management, development, property management,
25 tenant improvements, construction work, and the

1 portfolio I had there is a commercial mixed use
2 portfolio, primarily office industrial, some retail.

3 I left there. I was with a company called
4 Colorado and Tennessee Real Estate Company in Colorado.
5 We had a portfolio of about eight million square feet of
6 mixed use properties, and then I also -- after that, I
7 worked for a company called Four City, Four City
8 Development.

9 They're out of Cleveland, and I worked on
10 their redevelopment of the Stapleton Airport outside of
11 Denver and I was responsible for all the non-residential
12 and commercial development.

13 In terms of what Craig does and what your
14 involvement is here, and my experience in that has
15 really been sort of an offshoot of, I guess, issues that
16 arise in other development of property.

17 So I've had -- I have had remediation
18 projects that I've -- I guess, didn't want to be
19 responsible for, but became responsible for in the
20 course of developing projects.

21 I've had -- we've had 55 gallon drums of
22 pesticide found in land we went to develop. I've had
23 asbestos problems in buildings. We've had petrochemical
24 spills on properties, TCPs --

25 MR. COOPER: PCBs.

1 MR. DEIS: Yeah. Whatever. We've had
2 those in the soil and threatening groundwater. I had an
3 800,000 square foot building that was filled with
4 asbestos.

5 So I've had some experience, but primarily
6 from, you know, a developer's perspective in terms of
7 hazardous waste and remediation, and in all those
8 instances, obviously, I wasn't qualified and we didn't
9 make any good decisions on what needed to be done
10 without some expert advice and opinion, and so I've
11 always relied on outside experts and people who are
12 familiar in the field, familiar with the cleanup and the
13 right protocol, and I guess the regulatory agencies.
14 I've used them for advice.

15 So that's really my involvement in
16 remediation.

17 So in this case, obviously Craig is my
18 expert advisor. And it's good to be here. Thank you.

19 MS. TRIGIANI: Thanks for coming.

20 MR. BOGGS: While we're on introductions,
21 I'd like to introduce Richard Perry. Raise your hand.
22 He's the new public relations specialist at DTSC. Just
23 a couple weeks ago, he's been assigned to the Presidio,
24 and I encourage any of the RAB members to contact him as
25 a resource if there's any information or assistance you

1 might want.

2 He can help you as an information resource
3 or at least if he doesn't have the answer at his
4 fingertips, he can probably get us going in the right
5 direction.

6 So would you like to say a word or two
7 about yourself and --

8 MR. PERRY: If I don't know it, I'll call
9 Bob, and Irvine Company used to be one of my clients
10 when I was in the building industry, so I came into this
11 from public -- public businesses. I worked as a
12 lobbyist in DC and Sacramento before I came to DTSC.

13 I'm looking forward to this project. I've
14 been watching the development of the Presidio into a --
15 into a park, and it's one of the few real successes that
16 I've had the opportunity to see. I'm really happy to be
17 here.

18 MR. BERMAN: I hope you won't think this
19 is impertinent, Jeff, but could you sort of say what
20 your role will be here in the Presidio?

21 MR. DEIS: I'm chief operating officer.
22 I have four departments that report to me. One is
23 remediation, obviously.

24 Also the real estate department,
25 construction and design and operations and maintenance,

1 and so in all, it's a good chunk in terms of the people
2 at the Presidio, probably the majority of them are, you
3 know, in those four departments and most of those are in
4 operations and maintenance.

5 MR. BERMAN: So what sort of decisions do
6 you make in your job?

7 MR. DEIS: As it relates to what --

8 MR. BERMAN: Any of these departments. I
9 mean, in a sense, I see them as sort of self -- almost
10 self-contained entities, and so they report to you, but
11 what sort of decisions will you make? Can you give an
12 example, maybe?

13 I know I'm putting you on the spot, but
14 this is a problem with public groups. You can't fire
15 them.

16 MS. TRIGIANI: He means us.

17 MR. COOPER: I was going to say because
18 we could be easily fired at the Presidio Trust.

19 MR. BERMAN: You're not a public group.
20 You're a government employee. We're -- it's quite
21 difficult to fire us, so you may get some -- some
22 frivolous questions which you don't have to answer --

23 MR. DEIS: I guess I can give you some
24 examples in say each of those departments if you'd like.

25 In real estate, I'll be involved in what

1 kinds of developments we might want to do or what kind
2 of tenants we may want to lease buildings to. How we
3 structure the deals, what the -- you know, the economics
4 of the deals are, the deals are and if they make sense.

5 I'll be involved in how we'll do the
6 construction, how we'll do the design of the different
7 projects. I may be responsible for decisions on if
8 they -- if our approach is going to be consistent with
9 historic preservation standards.

10 In operations and maintenance, I'll be
11 involved in -- I mean, we do everything from landscaping
12 to utilities to construction and maintenance of
13 residential buildings.

14 So I've been involved in helping to
15 organize how we do that effort and what our
16 activities -- what the activities may be in some of the
17 different groups and how do we -- how do we organize
18 ourselves to do that effectively.

19 And in terms of design and construction,
20 I've been involved in what -- on certain projects, do we
21 do the construction in-house or do we hire outside
22 contractors to do it for us? Should we do -- should we
23 do construction management in-house or outside?

24 You know, so what kind of design features
25 do we want in some of the projects that we're working

1 on. So those are the kinds of things I've been involved
2 in.

3 MR. BERMAN: Right. So those
4 informations are fed to you by like the real estate
5 department and then you review them, and do you then
6 make the final decisions? They recommend an action and
7 you make the final decision?

8 MR. DEIS: It really depends on what it
9 is.

10 MR. BERMAN: You're in a position to, for
11 example, veto -- suppose that Craig comes up with a --
12 a -- a plan of action.

13 Are you in a position to veto that, for
14 example?

15 MR. DEIS: Probably not on my own, no. I
16 wouldn't. Of all the departments I mentioned, of the
17 four departments, remediation is the one where I have
18 the least amount of expertise, and I'll rely more and
19 more on people like Craig and other people in the
20 department for advice and recommendations.

21 I've probably made -- have made since I've
22 been here the fewest number of decisions, Craig,
23 involving your department than any other.

24 MR. COOPER: Right.

25 MR. DEIS: I don't think I've given --

1 I'm interested in how the department is run and I'm
2 interested in things like the spreadsheet that Craig
3 handed out last time and how that impacts what the goals
4 are of his department, but I'm not going to -- I'm not
5 in a position to tell Craig how to put together a
6 remediation action plan or a -- you know, I'm not sure I
7 know PCP from a -- another -- another environmental
8 hazard in the ground.

9 So in terms of remediation, I'm not really
10 making decisions that affect the kinds of things that
11 you're focusing on here.

12 Craig --

13 MR. BERMAN: One of the thorny issues
14 that's come up in public meetings -- not necessarily
15 remediation, but in the reuse -- is oftentimes to be a
16 conflict between what we hear the -- the board of the
17 Presidio, the presidential appointees the board would
18 like to see, what the public would like to see and what
19 the real estate department in its semi-incompetent way
20 have recommended.

21 So would it be, for example, something
22 that you can unilaterally decide or -- because we've had
23 these conflicts arise in the reuse and it's been very
24 difficult to resolve them.

25 It's not an issue for us here, but as a

1 public person interested in these things, some of those
2 things have been not resolved very well.

3 So, I mean, are you the person? Are you
4 going to be the point man, so to speak, to get these
5 issues resolved?

6 MR. DEIS: You know, I'm not -- you'd
7 have to give me a specific example or something
8 specifically would have to come up and I can tell you.

9 I've been here three months --

10 MR. BERMAN: I don't think it's
11 appropriate to get into that for this committee because
12 we're not interested in that. I was just curious --

13 MR. DEIS: I can tell you this: I don't
14 have anything that's, I guess, expensive, controversial,
15 perhaps not in a complete agreement with some of the
16 historic goals that we had or preservation goals that we
17 have or remediation goals that we have, anything that
18 falls outside of those parameters, I'm not going to have
19 the right to make the decision on my own without
20 consultation with anybody else.

21 MR. BERMAN: Thank you. I appreciate
22 your frankness.

23 MR. YOUNGKIN: Mary.

24 MS. TRIGIANI: Jeff, kind of back to the
25 financial question. I'm -- is there -- do you have a

1 counterpart that's a chief financial officer to the
2 trust?

3 MR. DEIS: Yes.

4 MS. TRIGIANI: So when it comes to these
5 issues of -- of the funds and the spreadsheets being
6 used within the environmental group and then potentially
7 by the chief financial officer and yourself in terms
8 of -- of monitoring how things are going, is that sort
9 of an integrated process? Does that strictly go up to
10 the CFO or is that something that you would weigh in on?

11 Because I know -- it sounds like you're
12 building out a little bit of infrastructure at the
13 trust, and I'd like to get my arms around that process.

14 MR. DEIS: I mean, anything that --
15 anything that has to do with creating budgets, projects,
16 capital budgets, operating budgets, for any of my
17 departments, obviously I'm very involved in.

18 MS. TRIGIANI: Right.

19 MR. DEIS: We need to monitor how we do
20 against those budgets as we do in the course of the
21 year.

22 Anything that has to do with financial
23 projections as to how we expect to do on some of our
24 buildings that we lease, for instance, I'm very involved
25 in creating those financial pro formas --

1 MS. TRIGIANI: Right.

2 MR. DEIS: -- and monitoring and making
3 sure that we accomplish what we say we're going to do.

4 Anything, I guess, that impacts my
5 departments economically or financially I am involved
6 in, and obviously, you know, I work with the chief
7 financial officer and the controller trying to
8 understand, you know, the numbers behind what we're
9 doing.

10 So I have operational numbers that I look
11 at every month that tells me what -- what our revenues
12 are and expenses are for the different departments.

13 MS. TRIGIANI: But so as in a typical
14 organization, the CFO would have responsibility for
15 accounting standards, internal controls --

16 MR. DEIS: Right.

17 MS. TRIGIANI: -- and any sort of
18 compliance issues?

19 MR. DEIS: Right. And that is the case
20 here and it's -- and those responsibilities lie with the
21 CFO.

22 MS. TRIGIANI: Got you.

23 MR. DEIS: So I don't have any
24 accounting, for instance.

25 MS. TRIGIANI: Right.

1 MR. DEIS: I don't have any of the
2 internal control functions under me. We have a
3 controller that we work with, but, you know, we provide
4 information to them and we get information back, but
5 they do all the accounting and financial projections.

6 MS. TRIGIANI: Thank you. That was it.
7 Thank you very much.

8 MR. YOUNGKIN: Dave.

9 MR. SUTTER: Yeah, Jeff, following up on
10 budget and financial questions, since you've got four
11 departments under your --

12 MR. DEIS: Yes.

13 MR. SUTTER: -- back, if you run into a
14 budget problem in one department, can you transfer money
15 from one of the other departments to solve that problem?

16 MR. DEIS: Not very easily.

17 MR. SUTTER: Mm-hmm.

18 MR. DEIS: Not unless the CFO says I can.
19 No. Not really, no.

20 MR. SUTTER: Okay. What I'm --

21 MR. DEIS: I'm not sure exactly -- we're
22 talking kind of hypothetical and --

23 MR. SUTTER: I --

24 MR. DEIS: -- theoretical, but it's hard
25 to really answer without a specific example.

1 MR. SUTTER: But I guess what I'm getting
2 to is, you know, as Craig has mentioned, he's currently
3 projecting an overrun against the hundred million dollar
4 budget.

5 That could become -- become a significant
6 crunch that the trust has to resolve -- not now,
7 necessarily, but perhaps a couple years down the stream.

8 If the overruns are not compensated for by
9 claims to Zurich or don't fall under the umbrella of
10 reimbursable -- additional reimbursable cleanup costs
11 that are the responsibility of the Army, there may come
12 a point where the trust is going to have to kick in more
13 money, and that's going to be an issue, I would imagine.

14 I presume that you would be right in the
15 middle of that decision-making.

16 MR. DEIS: I'd have a part of that, yeah.
17 A decision like that, I imagine the board would be
18 involved.

19 MR. SUTTER: Mm-hmm.

20 MR. DEIS: Essentially we'd be taking
21 revenues from other areas and applying them to
22 remediation, and it's not anything that I would be the
23 final decision-maker on.

24 I would imagine that the board would --
25 Presidio trust board would have a big role in making

1 that decision.

2 It's a question that I don't think we're
3 at a point where we need to discuss it right now, but,
4 yeah, we project out and there may be a day when that
5 happens.

6 MR. YOUNGKIN: Okay. Other questions for
7 Mr. Deis? Jan.

8 MS. BLUM: I would just like to put one
9 thing on the table. In the short time that I've been
10 here, the RAB has -- and Craig has always favored clean
11 closure, but recently under a planned children's
12 recreational center, we will be doing the only non-
13 removal of waste material -- and this is the
14 recommendation.

15 It hasn't gone through the public
16 processing yet, but I just wanted to make you aware of
17 that. This would be the only time in -- I think in the
18 RAB where we haven't done removal of waste for a clean
19 closure, actually a clean closure, and I just want to
20 alert you to that because the planned land use is to put
21 a children's playground.

22 Current land use for the Presidio Trust is
23 to put a children's playground for Little Leaguers on
24 some of that, and it's the only one in the Presidio. So
25 I just wanted to make you aware of that.

1 MR. DEIS: I'm aware of it. Thank you.

2 MR. YOUNGKIN: Okay. Let's move on since
3 we're behind the agenda already. Let's go on to reports
4 and discussions.

5 Craig Cooper, draft landfill 8/landfill 10
6 feasibility study.

7 MR. COOPER: Okay. Before I get started,
8 I want to introduce one other person. His name is John
9 De Witt sitting here to my left. He works for Aror &
10 Kolnowski. He is here to help me do my presentation.

11 I'm pretty much going to walk through some
12 slides, but he is the main author, let's say, of helping
13 putting together this feasibility study, the landfill 8
14 and 10. There it is.

15 It's just a very short read, and so -- but
16 before I jump into that, I've got -- if people are
17 interested, I've got a couple just photographs, no text
18 of the -- of construction at the fill site 6A project.

19 So it will just take a -- okay. Good.
20 What I'm going to do is -- if you haven't noticed, if
21 you haven't driven by Lincoln between Halleck and
22 Girard, I've got a couple photographs.

23 We'll talk about fill site 6A, and my main
24 talk tonight is about landfills 8 and 10.

25 This is basically day one. Fill site 6A

1 is over here on this side is Halleck Street and Girard
2 is -- these are the redwood trees in the middle and
3 Girard is over here, and it's just a big lump with weeds
4 growing on it, and you can see this is day one. A
5 little dirt road has been built already, and we started
6 on May 23rd. Yeah.

7 That was our ground-breaking day, and
8 basically, you know, it's pictures that you've seen
9 before at our previous landfill clean closure projects
10 of excavators loading up trucks, loading them full of
11 soil and debris.

12 In this particular landfill, there's not
13 much debris, mostly soil, and there's the YMCA in the
14 background there, that particular perspective.

15 So this is Lincoln up here, and there's
16 the sidewalk that you can actually -- you got a great
17 view if you want -- it's one that you can just stand on
18 the sidewalk right next to Lincoln here and watch the
19 whole operation and you're outside the site, so you're
20 safe, and -- but what this slide is showing is that as
21 we're excavating down, we're exposing this cobblestone
22 wall that is historic, and we weren't too sure how far
23 the wall goes down the embankment, but as we dug, the
24 historians are really excited about, you know, exposing
25 this wall and so people can appreciate it when -- in the

1 future when the project's all done.

2 I've got another shot of this; not the
3 best photograph due to the shading, but anyway this wall
4 is being exposed.

5 MS. YAROS: How old is the wall; do you
6 know?

7 MR. COOPER: I don't know. I'll find out
8 next time. But I do know it's covered by the National
9 Historic Preservation Act. It's got to be at least 50
10 years old.

11 But, you know, I think we've talked about
12 the history. At that particular site, it goes way back,
13 you know, so I can -- I can check. I'm actually
14 interested myself.

15 So this is not the greatest photo, but
16 remember that well. It is an important one. That's the
17 storm pipe. That is -- that we've all talked about.

18 That eventually is going to get pulled
19 out, and this is way in the corner of the site away from
20 Lincoln over by building 1029.

21 Think of if you're standing on Lincoln,
22 the furthest most part away from you, that's what you
23 see here, and this water, we think some of it might be
24 right about where the groundwater table is being
25 exposed.

1 It also -- remember it rained, was it last
2 week or the week before so that might be a little rain
3 water that's collected there, too. I'm not sure how
4 much of that is groundwater and how much is rain water.
5 We do expect to be right about at the water table here.

6 The ground -- pulling the pipe is going to
7 get tricky because it's going to get very mucky and
8 muddy and so on, but don't be surprised when you see
9 water.

10 And so basically the trucks come in from
11 Girard and then they just make this big U and they get
12 loaded and then they just pull out and hit Girard again
13 and make a left, and we've actually built this kind of
14 temporary ramp, because Girard pretty much dead-ends and
15 you have to make a right-hand turn, but we've built this
16 so the trucks going go into the parking lot for these
17 buildings here and head on to Mason and then to the
18 Marina gate and up on Doyle Drive, and all the soil is
19 going to Ox Mountain landfill in Half Moon Bay and it's
20 going as non-hazardous, which is excellent for us
21 because that's the cheapest possible type of waste that
22 we can send out.

23 So, no. I guess not.

24 This photo -- it doesn't really show the
25 depth, but this photo was taken today, so before --

1 remember the original photograph, this was like -- there
2 was a big grassy hump here and now the valley here is
3 actually starting to form, and -- so anyway, that's the
4 fun part, and now for the boring stuff.

5 All right.

6 MR. BERMAN: Are you expecting from this
7 first preliminary dig, are there any indications of any
8 surprises?

9 MR. COOPER: You know what? No surprises
10 so -- no big surprises so far.

11 The building foundations over near Girard
12 where the nurse's quarters was located, those are a
13 little bit deeper than we initially had anticipated.

14 There was actually maybe some basements
15 there that we didn't know about, so we're going to have
16 to, you know, think about how to handle them, and, you
17 know, truck traffic is always a hassle, but for being in
18 the main post, I'm the point person on any complaints
19 about noise or dust or anything like that, and it's been
20 relatively -- I've gotten some calls from people, but no
21 big complaints so far. That's great.

22 People are happy that -- especially the
23 people that live -- that one building that you see in
24 the background, people live right next to it, and they
25 were happy that it looked like we're making a lot of

1 progress fast, because, you know, I told them that we
2 probably wouldn't even get to the pipe pulling part
3 until the end of August, and we're hoping to be ready to
4 start pulling the pipe in July sometime.

5 So -- but you never know. Remember the
6 railroad -- remember we hit railroad tracks. We have
7 not hit any railroad tracks. So that's excellent news
8 so far. They still might be lurking out there, but I --
9 it's getting more and more unlikely.

10 We found the foundations of the warehouses
11 that the railroad tracks serviced, but the railroad
12 tracks, at least in that -- there was a railroad spur
13 that came in there that dead-ended right at Lincoln, and
14 no railroad tracks. That would have been a potential
15 big delay for us because the archeologists would have to
16 come out and so on.

17 That's about it. I mean, we're hitting
18 some stained soil here and there. I need to talk to Jim
19 about some petroleum contamination that we just
20 uncovered yesterday, but we're not too sure -- we think
21 it might be from an underground storage tank that was
22 from the warehouse or something like that, but no tank.
23 We haven't hit a tank yet. Just petroleum stained soil,
24 and so far so good.

25 MR. YOUNGKIN: The initial lead testing

1 came out low?

2 MR. COOPER: Yes. The landfill accepted
3 our -- basically our site characterization data. They
4 did make us take a few more samples, but, yeah, the TCLP
5 and the wet tests are -- the lead concentrations are low
6 enough so we're not kicking into any type of hazardous
7 waste category.

8 That's -- as you know, that's what was
9 hurting us like at Baker Beach 3 and landfill 4 was
10 leachable lead was leaching out and causing the waste to
11 be categorized as hazardous waste which makes the off-
12 site disposal of that waste go up at least three times
13 or four times the amount, yeah.

14 MR. SUTTER: So Craig, are you disposing
15 of this waste mainly as class III waste?

16 MR. COOPER: Yes.

17 MR. SUTTER: Great.

18 MR. COOPER: Yeah.

19 MR. ULLENSVANG: Folks here might want to
20 know that it's going out as daily cover class III.

21 MR. COOPER: Daily cover is a soil --
22 basically every time they close for the door, they have
23 to cover their waste up with clean or relatively clean
24 soil.

25 So it's -- and so it's been used as the

1 soil to kind of button up the landfill for the day.
2 That's called daily cover, and it's -- right. So it's
3 the cheapest possible waste that we can send off to the
4 landfill. We're getting the rock bottom price on this
5 particular one.

6 Okay. Ready for the landfill 10 --

7 MR. YOUNGKIN: One question.

8 MS. TRIGIANI: One thing. You know, not
9 to be the police on the agenda, but we've had a surprise
10 guest who we loved having and we've had a surprise
11 debrief on 6A when what we've asked for tonight is a
12 discussion of landfill 8 and 10, so I'm a little
13 concerned because on the original agenda, Mark, we had
14 Craig speaking for forty minutes and then a half hour
15 discussion and I don't see us getting through all of
16 that by 9:00 PM.

17 So maybe we need to rejigger a little bit.

18 What do you think? If nobody else thinks
19 this is a problem, great, but I'm a little concerned.

20 MR. YOUNGKIN: Let's see how long it
21 takes Craig to --

22 MR. COOPER: Okay. I will take that as
23 advice to get going.

24 All right. So about two months ago, I
25 gave a little bird's eye view about landfills 8 and 10,

1 and this is the -- the feasibility's out, so now it's
2 about getting into the details about what the trust is
3 recommending with respect to these two landfills.

4 So I'm going to kind of recap what are
5 the -- what is it about landfill 8 and 10 that we need
6 to know about, what are the possible remedies that we
7 looked at when we first reached landfill and what
8 happens next with respect to this feasibility study
9 report and future steps.

10 So I know this is a horrible map. It's
11 the big Presidio map, but here is where Public Health --
12 Public Health Service Hospital is located, and landfill
13 10 is that big, you know, parking lot -- looking parking
14 lot in the slope here, and landfill 8 is immediately
15 behind the old hospital. So they are in the public
16 health area.

17 Okay. Some basic background information
18 about each of these landfills is presented in this
19 slide.

20 I'm not going to read the whole thing to
21 you, but basically as you can see, landfill 10 is a
22 lot -- as far as cubic yards go, CY means cubic yards.
23 Landfill 10 is much bigger than landfill 8.

24 In fact, it's the largest landfill that we
25 have in the Presidio -- yeah. And the chemicals of

1 concern in both landfills are pretty similar, but they
2 have some kind of special issues. Each one has some
3 special issues that we needed to consider in this
4 feasibility study.

5 As you know, landfill 8 is resting on top
6 of the old merchant marine cemetery. So that is
7 something that we need to be aware of when we think
8 about remedies.

9 Both of them are -- have habitat
10 restoration issues that we need to think through because
11 that's -- you know, the future land use for all of
12 landfill 8 and a big portion of landfill 10 is in the
13 native plant zone. So that's something for us to think
14 about.

15 Both have endangered species. In San
16 Francisco, the Lessingia plant, either near or -- near
17 the landfill, so that -- that gets involved in the
18 remedy thing. Both have aesthetic issues, especially
19 landfill 10.

20 Landfill 8 is behind the hospital, but
21 it's important, also, because it's in the Lobos, the
22 swale area there, the very beautiful area of the
23 Presidio.

24 10 is going to be very visible from the
25 Presidio park neighbors, and so if aesthetics of how the

1 configuration of the landfill looks is really important,
2 and there's going to be tree removal going on at 10, as
3 well.

4 So that's kind of the basic summary of
5 issues. This one I'm not going to spend too much time
6 on.

7 Our remedial action objectives, we've seen
8 these before. These are the basic goals of what the
9 Presidio remediation program is all about. These are
10 the major premises that what are we -- what are we
11 trying to accomplish at each of our remediation sites,
12 and again their objectives or goals, sometimes we don't
13 achieve every single one of these a hundred percent.

14 The top two are required by law that we do
15 achieve a hundred percent, but some of the others are --
16 basically are things that we're striving for.

17 And then in this feasibility study -- I
18 just want to say that my presentation is basically a
19 summary -- a brief summary presentation of this big
20 document here, and we brought copies of this document
21 in -- on CD in PDF, so you can -- you don't have to go
22 to the trust library and check it out or anything like
23 that.

24 So John, you put the CDs on the table
25 there. So back to more specific, you know -- in

1 addition to the programmatic type objectives that we
2 have for our remediation program, landfill 8 has some
3 special goals that we were looking at when thinking
4 about remedies and what we're trying to achieve at
5 landfill 8 as does landfill 10, and so as you know,
6 anything at landfill 8, the cemetery's definitely
7 something that we want to respect and protect, and any
8 type of remedy that we come up with, again the
9 endangered species is important, and again making it all
10 kind of fit into a future land use, which is a native
11 plant zone, is important for landfill 8.

12 10, as you know, it sits right near Lobos
13 Creek and right in the -- it's in the Lobos Creek
14 watershed, so obviously that's a big deal to make sure
15 that Lobos Creek and the -- the downgradient intake for
16 our drinking water plant here at the Presidio is
17 protected.

18 10 has a very steep slope that we need to
19 fix and make sure it can stand up in future earthquakes.
20 Again, 10 is also a thing that we need to make it look
21 nice.

22 It -- the sloping part is in a native
23 habitat zone in area A of the Presidio, the park service
24 part, and the flat part on top of landfill 10 is in area
25 B which is planned to be parking and landscaped and

1 we're going to have a trail there and so on.

2 So those are the kind of -- the goals that
3 we have for each landfill, and this -- this feasibility
4 study has been some time in the making, and I gave you a
5 little bit of an update on what we've been working on
6 over the last year, and I'm not going to spend too much
7 time on this to try to save sometime, but we have --
8 basically the trust put together a very preliminary
9 draft feasibility study almost about a year ago, and
10 these area -- the things -- there were some deficiencies
11 that we needed to fix in it before we put it out on the
12 street.

13 So these are the things that we worked on
14 in the last year, and it also identified some of the
15 tables that you would find in the feasibility study such
16 as table 9-1 and table 9-2 to 9-4.

17 If you go there, those tables are like
18 fifteen, twenty pages each, and I'm just going to give
19 you brief summaries of all the kind of detailed thinking
20 of how we balanced our conclusion, but if you really
21 want to dive into the details of our thinking, those are
22 the tables of the feasibility study that you should go
23 for and I'll --

24 MR. BERMAN: Craig, on the previous
25 slide, you had the future land use -- the one before

1 that. Future land use projected for 10, but you don't
2 comment whether it's going to be for 8.

3 MR. COOPER: Oh, for 8, it's native plant
4 zone. It's habitat restoration --

5 MR. BERMAN: Okay.

6 MR. COOPER: -- for 8.

7 MR. BERMAN: It wasn't there. I just
8 wanted to make --

9 MR. COOPER: It's native plant. 10 is
10 half native plant --

11 MR. BERMAN: It's there on the slide, but
12 you didn't comment. Thank you.

13 MR. COOPER: Yeah. This is the CERCLA
14 process that you're all familiar with. I just wanted to
15 remind you about the programmatic process that we
16 follow.

17 We already investigated the site a couple
18 times. We talked about that. This is where we are
19 right now in the feasibility study where we look at
20 potential remedy options and recommend a remedy and then
21 we go to Draft RAP, public comment and so on. You know
22 the process.

23 So we're still fairly -- fairly early in
24 the process at these sites, and I presented these to
25 you, as well. It's just another reminder in the CERCLA

1 program, we have evaluation criteria that we use to
2 make -- to help us, to evaluate all alternatives, to
3 decide which ones are a good fit for landfill, which
4 ones are good projects and which ones aren't.

5 These requirements are required by federal
6 law and state law for us to follow, and I'll go into
7 them a little bit more, but just real briefly, as you
8 know, threshold criteria, for us to select the
9 alternative.

10 The alternative must meet the -- must be
11 protective and ARARs, as you know, are those state and
12 federal laws that are applicable to the cleanup, and
13 then so that's a given.

14 The balance criteria, that's where we do
15 the checks and balances and pros and cons of each
16 alternative, strengths and weaknesses you can call it,
17 and then the modifying criteria, the community
18 acceptance, that's what this process is about. We're
19 just embarking on understanding that.

20 Landfill 8. So now we are -- I'm going to
21 get into the details of landfill 8. This is obviously
22 an aerial photograph looking, you know, down on the
23 site.

24 Here's the hospital down here, and just to
25 get you familiar a little bit with this particular

1 landfill, the black lines is the estimated extent of the
2 landfill and this red line is our estimated extent of
3 the cemetery boundary.

4 So that is -- and just for another piece,
5 this is kind of planted. This is where the trust
6 composting facility is in this area here, and I believe
7 there's an old tennis court sitting right here.

8 So again, that's back behind the Public
9 Health Service Hospital.

10 And these are the remediation action
11 alternatives -- we call them remedies -- that we
12 analyzed in this feasibility study for landfill 8. No
13 action is required by law.

14 Permeable cover and over the waste with --
15 with no consolidation. That means just don't touch
16 anything and just build the cap over the top of it, and
17 consolidate means to push the waste in closer and then
18 put the cap over that.

19 So either -- those type ideas with the
20 permeable cover and the low permeable cover, and I've
21 got a figure to show what a perm cover is and a low perm
22 cover.

23 Alternative number 4 is complete
24 excavation. That's what we call the clean closure
25 alternative, and then alternative number 5 is like a

1 hybrid type alternative where we excavate the wings --
2 and I'll explain what the wings of the landfill are in a
3 minute here -- with a permeable cover over the parts
4 that we don't excavate, and then there's two kind of
5 options under this hybrid alternative number 5, and one
6 is to kind of shave off the entire top three feet and
7 dig out the wings, and the other one is just to excavate
8 the wings only.

9 So that's the universe of alternatives
10 that actually is not the detailed analysis.

11 There was other options and ideas that we
12 also thought of. They got screened out, and that's
13 explained in the feasibility study, but these are the
14 ones that got detailed, and this graphic shows the
15 difference between a permeable cover and a low permeable
16 cover, and so the permeable cover -- basically this is
17 the landfill down here.

18 Then there's a foundation layer, which I
19 don't have my glasses on, and John, what thickness?

20 MR. DE WITT: Two feet.

21 MR. COOPER: And landfill 8, it would be
22 covered by dune sand because the natural environment
23 there is -- it's in a dune environment.

24 So if we were going to try to match up
25 soil types coming off the cover, we're using dune sand,

1 and the thickness of that is five feet.

2 MR. DE WITT: Three to five.

3 MR. COOPER: Then the low permeable cover
4 is basically the same, but then there is this geo
5 composite drainage layer and a membrane in between the
6 foundation layer and the -- the soil or the -- in this
7 case the dune over the top, and this one is used to
8 reduce to rainfall infiltration into the landfill.

9 So that's the difference between the two,
10 and we'll talk about what -- why is one cover more
11 applicable or necessary over the other.

12 MR. BERMAN: What keeps the foundation
13 layer in place?

14 MR. COOPER: What keeps the foundation
15 layer in place.

16 MR. DE WITT: You would take out the
17 rough things, the debris and things like that. You just
18 basically compact it -- you would clarify the land and
19 kind of compact the foundation layer on to that.

20 It's landfill material that's -- that has
21 material removed from it.

22 MR. BERMAN: Right. There's no external
23 support, so on the slope part, what -- what keeps it
24 from moving.

25 MR. DE WITT: The friction between the

1 landfill itself and the material. The geotechnical
2 people that work with us in trying to make it, this
3 slide is -- landfill 8 is not nearly as sloped as
4 landfill 10 is.

5 MR. COOPER: Right.

6 MR. BERMAN: So the natural friction
7 forces are sufficient to make it stable.

8 MR. DE WITT: Yes.

9 MR. BERMAN: Thank you.

10 MR. COOPER: Okay. So the next couple
11 slides basically show photographs as a way to visualize
12 how each of these alternatives would look in the future
13 as we did them, and the way they would look, notice I
14 say that the 2A and 2B, 2 being the permeable -- 2 being
15 the permeable and 3 being the low permeable.

16 When they're -- after they're built, they
17 would look the same, so that's why we're able to
18 combine -- you wouldn't be able to see that liner that's
19 in between is the foundation layer and the dune sand.
20 That would be covered by four feet of dune sand.

21 So aesthetically, those two remedies would
22 look the same, and so if -- and the 2A and the 3A
23 alternative, that's the one where we don't do any
24 consolidation. We just build a cover over the entire
25 extent of the landfill, so we would have to build this

1 foundation layer all the way across, put sand dune all
2 the way over the entire landfill and then do the re-
3 vegetation over the top of that.

4 Whereas under the 2B and 3B alternatives,
5 there we would basically push -- consolidate the waste
6 and push it into the center -- centers here, and so
7 this -- these areas would then not have waste on them
8 anymore and they could be restored, and the waste would
9 just get piled up basically in the middle of the
10 landfill for consolidation purposes, and then the cover
11 would be built over this mounded area that we have in
12 our consolidated area in the middle.

13 It's a very common way to close landfill.
14 Obviously it's complicated for this particular one
15 because of the cemetery.

16 MR. BERMAN: Right. This is really based
17 on -- that you actually know the boundary of the
18 cemetery.

19 MR. COOPER: It's our best -- you know,
20 to the extent that our historians --

21 MR. BERMAN: Right.

22 MR. COOPER: -- were kind of able to
23 bound proof those boundaries, yeah. It's our best
24 estimate. They're dashed, you know. It's not meant to
25 say, you know -- you know, could there be a body here?

1 Yeah. It's possible.

2 MS. YAROS: And the cemetery has to stay
3 intact or will they --

4 MR. COOPER: Yeah. There's no plans to
5 exhume any bodies or anything like that, right.

6 MS. BLUM: If you consolidate into the
7 mound, would that change the topography of the fill?

8 MR. COOPER: Right. That would be
9 something that would have to be considered, yeah.

10 For alternative number 4, that's the clean
11 closure alternative, so basically all the waste would be
12 removed and theoretically the top of the cemetery would
13 be exposed under that alternative, but -- well, and as
14 you know, the top of the cemetery's not really well-
15 defined based on our previous characterization work,
16 so --

17 MR. YOUNGKIN: Because it was disturbed?

18 MR. COOPER: Yeah.

19 MR. DE WITT: This alternative has the
20 most chance of coming into contact with remains.

21 MR. COOPER: Right. Remember the trench
22 work that we did? We thought we were trenching into
23 fill only and we ended up exhuming a body, so that
24 wasn't -- that wasn't a very pleasant experience, and
25 that's why we listed it as one of our remediation action

1 objectives basically not to let that happen again.

2 Can I guarantee that it would never happen
3 again? Certain alternatives make it more likely that it
4 would happen that we would exhume a body and other
5 alternatives would be less likely.

6 MS. YAROS: For the body, the cemetery --
7 let me rephrase it.

8 What else besides the bodies is under
9 there? I mean, that needs to be --

10 MR. COOPER: There's no known
11 contaminated -- that's our operating theory is that
12 there's no contaminated, you know, waste buried in the
13 cemetery.

14 Our operational theory is that the Army
15 just dumped debris over the top, and if that was your
16 question.

17 MS. YAROS: Yes.

18 MR. COOPER: Yeah.

19 MR. BERMAN: And as far as the historical
20 records and your preliminary trenching, when the Army
21 did that, they made no effort to put any kind of
22 protective layer over the cemetery. They just dumped on
23 the graves and whatever was there.

24 MR. COOPER: Right. I'm not aware of any
25 layer that was put down on there, yeah.

1 MR. ULLENSVANG: Of course the bodies
2 were buried at a certain depth, so there would be a
3 hint -- in the original, there would have been some soil
4 over the bodies.

5 MR. COOPER: Right.

6 MR. ULLENSVANG: There was no added layer
7 that was reported.

8 MR. BERMAN: Right. For example --

9 MS. YAROS: Do you have the approximate
10 dates of those burials?

11 MR. COOPER: Approximate dates, mm-hmm.
12 Dating back all the way to the 1880s.

13 MR. DE WITT: '80s, yeah.

14 MS. YAROS: 18 -- from when to when, I
15 mean?

16 MR. COOPER: 1880s to --

17 MR. DE WITT: 1920s.

18 MR. COOPER: -- 1920s, and then the
19 debris started to show up in the 1940s.

20 MR. DE WITT: '40s and '50s.

21 MR. COOPER: Mm-hmm.

22 MS. PASSERO: The Army knew about it?

23 MR. COOPER: Short-term memory. I can't
24 comment.

25 MR. YOUNGKIN: Wooden crosses and wooden

1 stones and it all rotted away and the Army just forgot
2 about it, I guess.

3 MR. COOPER: Okay. So that's the clean
4 closure alternative, and then this is the sub-
5 alternative 5A where we would try to shave off the --
6 these are the wings, by the way.

7 These are what we're defining of the wings
8 in the landfill, these kind of long skinny parts in the
9 ends that are kind of outside the cemetery boundaries
10 that theoretically are kind of in a different -- in a
11 different -- can be managed differently because, you
12 know, this whole risk of exhuming a body becomes less
13 likely out here than here.

14 Under this particular alternative, we
15 would dig out this section, clean close here, try to
16 clean close here and here, and that -- when we clean
17 close, we take the waste and haul it off-site, and no
18 consolidation here.

19 It's just -- then the cap would just get
20 built over the top of the central portion of the
21 landfill.

22 So do you understand the difference?
23 Where we consolidate, we push waste here. That was
24 under alternatives 2 and 3, and then this one, we -- we
25 actually dig out and clean close the wings, so

1 consolidate the wings or clean close the wings.

2 So here's these timetables where we
3 analyze the different types of alternatives, and these
4 are the rational criteria. These are the ones, if we're
5 going to select one, they have to say -- needs to be
6 kind of an affirmative conclusion on this, and basically
7 all of our alternatives except for the no action, which
8 we know is going to be a losing proposition, but all of
9 these meet the threshold criteria to some degree.

10 So theoretically any of these alternatives
11 pass the threshold criteria. Some pass better than
12 others, but they all pass.

13 Here's the balancing criteria. So if all
14 four of these pass, that means they're in the works for
15 the balancing, you know, criteria back and forth, and
16 this is just a short summary.

17 Again, when I said that table 9-1 and 9-2,
18 this is a little one-page thing of a table that's
19 actually like fifteen pages long.

20 So if you wanted to get into the details
21 of when we say none here and for the permeable cover
22 effective, but could encounter some human remains for
23 the short-term and long-term effectiveness, we provide a
24 lot of explanation of what that means in the feasibility
25 study itself.

1 So basically for effectiveness amongst
2 these alternatives, they're all effective. That means
3 they all can be protective of human health. The clean
4 closure is the most likely to encounter the human
5 remains, so that's something for us to consider.

6 Reduction of TMV is toxicity, mobility and
7 volume, and of the landfill itself, and most of these
8 really don't -- you need to actually do treatments when
9 you dig, you -- you know, you have to actually be
10 treating the hazardous substances to get a real credit
11 on this, so that -- that particular criteria doesn't
12 come into play too much.

13 Implementability is pretty straight-
14 forward. They're all implementable. Clean closure
15 would be a lot harder to do because of the human
16 remains, and this is the summary of the estimated costs
17 for each one.

18 Clean closure at 4.8 being the most
19 expensive and then the other -- the other three pretty
20 much in the same -- same ballpark with permeable cover
21 alone being the cheapest and then alternatives 3 and 5
22 pretty much being the same.

23 Mm-hmm.

24 MR. BUDROE: Let me ask a question about
25 the probability of hitting human remains, which one of

1 the alternatives.

2 Would it be fair to say that 4 might be
3 more likely, but you have no real guarantees that you're
4 not going to wind up being -- having problems along
5 those lines with 2, 3 and 5 that -- you can't really
6 know until you actually start the work?

7 MR. COOPER: We can't really know, right.
8 That's why I say more likely and less likely. That's
9 about all we can really say at this point.

10 MR. BUDROE: So you could run straight
11 into trouble with 2, 3 and 5 potentially?

12 MR. COOPER: As far as hitting human
13 remains? Yes. It could happen.

14 I would think -- my guess if it does
15 happen, it would be we would hit fewer bodies than a
16 clean closure, obviously, you know, going right into the
17 core and center of the cemetery area.

18 Yeah.

19 MR. O'HARA: Assume that you selected
20 choice number 4 and you took it down to the level of the
21 cemetery and you didn't have problems with human
22 remains. You just took it down to cemetery level.

23 By virtue of getting to cemetery level,
24 would you have a change in use? In other words, would
25 you have to then respect the cemetery that is there and

1 change the use?

2 MR. COOPER: Good question. I hadn't
3 really thought about that. You know, we're -- at the
4 trust, we're, in fact, having a meeting next week with
5 the Planning Department.

6 We are planning a memorial for the -- for
7 this particular cemetery, and we're at the very early
8 stages of designing that memorial, and so obviously they
9 can't finish their designs or even work on the designs
10 until we make a conclusion about this -- this -- our
11 remedy, but I think a memorial would be integrated into
12 whatever remedy we end up selecting, be it clean closure
13 and/or some type of cover, and the site, yeah, it's a
14 cemetery, but it's also in the native plant zone, as
15 well.

16 MR. O'HARA: That's what I mean.

17 MR. COOPER: I'm assuming if we did clean
18 close, there would still be the memorial for the
19 cemetery, but the native plants would be integrated into
20 that.

21 MR. ULLENSVANG: The cemetery would be
22 there under any of these alternatives.

23 MR. COOPER: Right. He was saying if we
24 did totally expose it, would it all of a sudden just
25 become a full-time cemetery.

1 MR. ULLENSVANG: But there's no grave
2 markers. You still have an unmarked cemetery.

3 MR. FREY: Could I comment on that?

4 I think if the cemetery were exposed, then
5 the -- there would not be the option to add sand on top
6 of the cemetery.

7 So the possibility of restoring that
8 habitat is minimized in that site and there would have
9 to be extra consultation with Fish & Wildlife.

10 If any of the other alternatives are
11 chosen, sand is going to be added on top and that
12 becomes the habitat, and we've consulted with Fish &
13 Wildlife so far.

14 MR. COOPER: So another factor to
15 consider on that.

16 MR. HULTGREN: These aren't related, but
17 what happens if human remains, one or more, are
18 uncovered?

19 MR. COOPER: I can tell you from my
20 memory when we uncovered the ones when we did our
21 investigations, and we had to call the San Francisco
22 Coroner and we had a anthropologist on-site full-time
23 during that trenching investigation, and that person was
24 there to -- you know, because of the bone, just to make
25 sure is it a human bone or some animal bone, and so

1 there would be some archiving of the remains and the
2 coroner would be involved, as well.

3 MS. TRIGIANI: Craig --

4 MR. COOPER: I think under any of these
5 alternatives, there is some likelihood -- protocols will
6 be put in place for any remedy.

7 MR. HULTGREN: So you have to -- do you
8 have to cause reburial of the remains and pay for it or
9 what?

10 MR. COOPER: At this particular one, it
11 just went to the coroner and did not get reburied.

12 MR. ULLENSVANG: I suspect the coroner
13 did rebury. You didn't find a whole body.

14 MR. COOPER: No.

15 MR. ULLENSVANG: I think if you were to
16 encounter a full body, some mechanism would be developed
17 to re-intern the body somewhere.

18 MR. COOPER: Right. I guess when we get
19 to remedy, we're going to be researching that for more.

20 In the feasibility study, there's just
21 kind of general planning. We put a line item for that
22 kind of protocols being prepared and the cost of the
23 protocols.

24 MR. DE WITT: We did include body storage
25 and that --

1 MS. TRIGIANI: That's in our budget to do
2 that. That's in the remediation.

3 MR. COOPER: It's in the budget for the
4 remedy of the landfill -- of this. Then, you know, who
5 would pay for that -- that activity --

6 MS. TRIGIANI: Mm-hmm.

7 MR. COOPER: -- could be of some
8 discussion.

9 I could talk to Jeff about that, but
10 basically -- basically as a general rule, that is an
11 ARAR -- that is an ARAR -- you know, the actual -- the
12 handling of those human remains --

13 MS. TRIGIANI: Sure.

14 MR. COOPER: -- and remediation
15 department in general has been responsible for
16 compliance with ARARs. So we've been in general
17 responsible financially --

18 MS. TRIGIANI: Sure.

19 MR. COOPER: -- for the natural
20 Preservation Historic Act. So we are responsible for
21 the costs.

22 MS. TRIGIANI: So it would have been
23 covered in our discussions with the Army when they put
24 this -- when the hundred million figure was agreed upon?

25 MR. COOPER: I don't know at what level

1 back in 1998, you know, what people were thinking as far
2 as what that would cost, you know. I doubt it.

3 MR. BOGGS: It was based on a five-year
4 review, so there wasn't a presumption that there would
5 be any additional cleanup there at that time.

6 MS. TRIGIANI: So --

7 MR. COOPER: With the Army, right. I've
8 got actually a slide on that on what the thinking was
9 back in 1999 and what our thinking is now as far as
10 costs then and now.

11 So --

12 MS. TRIGIANI: Because to Michelle's
13 question, if they knew that there was a cemetery under
14 there and that wasn't part of the --

15 MR. ULLENSVANG: They knew -- the Army
16 knew in '99 -- everyone knew in '99 that there was a
17 cemetery there.

18 MR. COOPER: Yeah. It was known.

19 MR. YOUNGKIN: They knew in '94.

20 MR. COOPER: Yeah. How -- what is new
21 information, though, Mary, is when we trenched, we hit
22 that remains --

23 MS. TRIGIANI: On Halloween.

24 MR. COOPER: That was surprising. We
25 thought the cemetery was much deeper and these remedies

1 could probably be implemented without -- without so much
2 concern about hitting a human remain as we are so
3 concerned now.

4 MS. TRIGIANI: Yeah, okay. Thank you.

5 MR. YOUNGKIN: Didn't you decide that the
6 bone found was in the fill itself had been disturbed
7 somehow and transported into the fill?

8 MR. COOPER: Right, right. The mechanism
9 for that, we don't know. Yeah.

10 MS. PASSERO: Just the CERCLA, are there
11 efficiencies that you -- you're really following CERCLA,
12 but you have obligations where you don't have to do --
13 where there aren't any redundancies as far as process of
14 complications?

15 MR. COOPER: You know, we are going
16 through a consultation process. We've done a biological
17 assessment that's in draft right now and going through
18 internal review.

19 We'll be sending that out, and we have to
20 get a biological opinion in. I mean, it's pretty
21 much -- the process --

22 MR. ULLENSVANG: That's no redundancy.

23 MR. COOPER: There's no redundancy.

24 MS. PASSERO: There are things that are
25 procedural. I can talk about it later, but I used to

1 work for a law firm that was a CERCLA cleanup action
2 firm and they also had a -- native species issues, but
3 the gist of the paper was that there are certain
4 procedural efficiencies that you should be able to
5 achieve, fund the substantive goal of the ESA, but
6 you're already following the process related to the
7 CERCLA cleanup, and I don't remember all the details,
8 because it was several years ago, but the point is
9 you're also trying to save money and achieve
10 efficiencies, as well, meaning you maintain control.

11 MR. COOPER: Right.

12 MS. PASSERO: Maybe you're already doing
13 it, but maybe it's also helpful.

14 MR. COOPER: Right.

15 MS. PASSERO: Part of it was related to
16 biological, et cetera.

17 MR. COOPER: Right, right.

18 MR. BOGGS: There's a couple provisions
19 under CERCLA where regulations can be complied with
20 substantively with eliminating some of the
21 administrative requirements, but that's actually
22 incorporated into CERCLA already.

23 MS. PASSERO: Yeah.

24 MR. BOGGS: But I'm not sure how broad it
25 is as far as getting into things like the NEPA or the

1 Endangered Species Act. I don't know how far it goes.

2 It's usually permitting, et cetera that
3 gets incorporated into the CERCLA process so that you
4 don't have to go through a separate RCRA process if
5 that's involved in a particular site.

6 I'm not sure that you'll achieve a whole
7 lot of --

8 MR. FREY: ESA compliance is very
9 inexpensive.

10 MS. PASSERO: Right.

11 MR. FREY: It hasn't cost that much so
12 far.

13 MR. COOPER: Mitigation measures are
14 expensive, but not so much at the site.

15 MR. BUDROE: I've got a question
16 regarding alternative 4 and restoration of native
17 plants.

18 If you pick alternative 4, it would be
19 more difficult to reestablish native plants because you
20 couldn't put sand down, the sand dune sand?

21 MR. FREY: If that alternative were
22 chosen, you'd have to re-evaluate how -- whether or not
23 you can put the sand on top, and it was decided you
24 could not put the sand on top, then you would not be
25 able to establish Lessingia habitat.

1 If it's decided you could put the sand on
2 top, it's fine.

3 MR. BUDROE: Why wouldn't you consider
4 that when you're preparing the alternatives? Is there
5 some piece of information that you're not going to find
6 until you actually do the excavation to determine that?

7 MR. COOPER: Well, if the feasibility
8 study doesn't consider that now, I mean -- then it
9 can't. It's draft.

10 John, do you know if that concept about
11 clean closure, about whether we can restore -- you know,
12 if we do a full clean closure of the waste, whether we
13 looked at --

14 MR. DE WITT: That nuance, whether it
15 could be restored, it's not addressed at this point.

16 MR. COOPER: Okay.

17 MR. BERMAN: It's not --

18 MR. COOPER: Can we factor it into the --

19 MR. BERMAN: It's not a foregone
20 conclusion that you can't put sand back on, because
21 there's no tombstones. There's nothing to indicate that
22 it's a substantial cemetery.

23 Everything that has been looked at so far
24 is that it's just bodies that have been covered up.

25 MR. COOPER: Right.

1 MR. BERMAN: So what difference would it
2 make in some sense if you put a little more sand on it?
3 I don't know.

4 I'm not sure that it's a foregone
5 conclusion that if you did 4, alternative 4 and you
6 exposed the -- the cemetery, that you couldn't cover it
7 in some way.

8 MR. FREY: Certainly not a foregone
9 conclusion, but people don't like to put dirt on top of
10 bodies.

11 MR. BERMAN: But the bodies already have
12 them. You're not going to remove the dirt all the way
13 down to the bones, anyway. There's dirt already there.

14 MR. COOPER: Yeah. That's a good point.
15 It's not a foregone conclusion.

16 I think it's possible that we should
17 probably -- if we're going to incorporate this into our
18 future thinking that I'd have to talk about it to other
19 departments at the trust and so on about what we would
20 do.

21 Yes.

22 MS. BLUM: I don't know -- in terms of
23 consolidation, you're talking about building mounds. I
24 don't have a sense of how big these mounds might be, how
25 high or whether they would change the way that the water

1 falls on the land or the hydrology.

2 Is that part of the consideration of what
3 remedy you choose?

4 MR. COOPER: It was considered.

5 MS. BLUM: Is that table 9?

6 MR. COOPER: Yeah. Do you know how high
7 up -- if we consolidated, how high up the landfill would
8 grow?

9 MR. DE WITT: I don't remember off the
10 top of my head. I don't want to guess.

11 After a remedy is selected, we will have
12 to design and figure out how to move water around the
13 landfill. That is definitely a design question, not so
14 much choosing an alternative question.

15 MS. BLUM: Okay.

16 MS. YAROS: Craig, I didn't hear how deep
17 the cemetery was, how deep the bodies, in general.

18 MR. COOPER: Well, we thought they would
19 at least be six feet below nat -- the top of native
20 ground surface, but because of this trenching that we
21 did, now that has been called into question that there
22 could have been some disturbance of some type that we
23 don't fully understand that the bodies and the waste
24 are -- have somehow commingled, and we don't know if
25 it's -- if it's just one or two bodies or a whole bunch

1 of them, so -- I know that's not the clearest answer.

2 MS. YAROS: Is it three feet or four
3 feet?

4 MR. COOPER: When we uncovered that --

5 MR. ULLENSVANG: I don't know.

6 MR. COOPER: Yeah. How many feet thick.

7 MR. DE WITT: At some pounds it's nine
8 feet thick.

9 MR. COOPER: So the waste is nine feet
10 thick. So where this ground -- ground -- so this is the
11 top of the waste and this is native ground surface, we
12 thought the bodies would be down here, but we've found
13 some pieces of, you know, bodies up here in the waste.
14 So that's the trouble.

15 MS. YAROS: Got you.

16 MR. COOPER: Yeah. As I said, state
17 acceptance and community acceptance, we just embarked on
18 analyzing that, so the trust has no opinion on that at
19 this point.

20 And what the feasibility study recommends
21 that we are recommending alternative 5B, and that's the
22 one where we excavate and clean close the wings, the
23 edges of the -- you know, the landfill that are on the
24 outside. No consolidation of the waste.

25 That waste would get dug up and hauled

1 away, as you can see, excavate and dispose waste in the
2 wings. Install a permeable cover over the central
3 portion of the landfill where the cemetery is, monitor
4 groundwater for a while, and of course we'd have a land
5 use control because there's a portion of the landfill
6 that would remain in place.

7 And the estimated cost of that one -- of
8 our recommended alternative is 3.8 million, and that
9 was -- I don't know what else I can say about that.

10 MR. BERMAN: Just tell me what would --
11 the additional cost would be if you went with a low
12 permeability cover instead of -- I mean, just a nuance
13 on this particular choice here, because --

14 MR. COOPER: Right.

15 MR. BERMAN: -- in some sense, you've got
16 this cemetery down there and it seems just from a -- a
17 sort of naive perspective that it would be better to
18 have the low permeability cover to preserve the
19 condition of that because -- I mean, the low
20 permeability doesn't really let anything hardly ever
21 leak in there; right?

22 MR. COOPER: Right. Less rain water
23 leaks in.

24 MR. BERMAN: Whereas the other case, you
25 sort of --

1 MR. COOPER: Rain water is coming in.

2 MR. BERMAN: So you're not desecrating
3 the cemetery, but you're allowing drafting to get in
4 there that wouldn't be in there with the low
5 permeability cover.

6 So it just seems to me that -- that if it
7 were a marginal difference, there's a certain aesthetic
8 and human aspect to the low permeability cover --

9 MR. COOPER: Right.

10 MR. BERMAN: -- which would be a little
11 nicer.

12 MR. COOPER: Do you know what the cost of
13 the --

14 MR. DE WITT: The delta's approximately
15 \$400,000 to go to a low permeability cover.

16 MR. COOPER: And I've got a couple
17 reasons on why -- why we're recommending the alternative
18 5B, and basically as we explained in the feasibility
19 study, we think it's the best match for the evaluation
20 criteria and our remedial action objectives or goals.

21 We went with those -- we went to the
22 permeable cover because right now we haven't seen any
23 impacts to groundwater.

24 So that concept that there's contamination
25 leaching through the cemetery really isn't -- isn't

1 indicated at this point because the groundwater has not
2 been contaminated by this landfill.

3 So our recommendation is that the low perm
4 cover is not necessary and that the perm cover is just
5 fine for this particular landfill.

6 It's great because we do clean close where
7 we can. That's our goal is to try to clean close where
8 practicable, and so we are clean closing the wings, and
9 we can fully restore the wing area, and it's consistent
10 with future land use because both the clean closed areas
11 and where we build this permeable cover can -- it allows
12 for ecological restoration, the reestablishment of
13 native plants there, including the Lessingia plant, and
14 again excavation outside.

15 So it's the one with the closer potential
16 for exposing human remains. Not a zero risk, but less
17 likely, and it's more cost-effective than a full clean
18 closure.

19 So that is the overview of why the trust
20 is recommending alternative 5B, and as far as just kind
21 of a cross reference getting back to Mary's question,
22 the -- back in the original deal with the Army, there
23 was 1.1 million dollars set aside for this particular
24 landfill, and right now we're looking at a 3.8 million
25 dollar remedy, so that is how that story goes.

1 So I know that the cost estimates back
2 then were very difficult to put together in the late
3 1990s, and there was a lot of fluctuation with cost,
4 especially for landfill 8 and 10.

5 There was at one point I know earlier in
6 the negotiations that the costs for these landfills were
7 actually going to be a lot higher, in the four to five
8 million dollars each range for both landfills 8 and 10,
9 and when everything was said and done, the number for
10 landfill 8 got pushed down to 1.1 million.

11 So that is the name of that tune.

12 MS. TRIGIANI: Craig, at what point in
13 the process after F/S and Draft RAP would a potential
14 change order be entered? And by "change order," I mean
15 going back to the Army and shaking our finger going you
16 knew -- that's what I'm asking.

17 If we wanted to submit a change order, at
18 what point in this process --

19 MR. COOPER: You mean a claim? Using the
20 word "claim"?

21 MS. TRIGIANI: Mm-hmm.

22 MR. COOPER: For this particular site and
23 this particular situation, I -- what we have right now,
24 we don't have the grounds for a claim --

25 MS. TRIGIANI: Okay.

1 MR. COOPER: -- against the Army.

2 MS. TRIGIANI: But if we did, at what
3 point in the process would that --

4 MR. COOPER: Wow, that would be upon
5 discovery of the trigger mechanism to make our claim.
6 So I've got several claims against the Army and Zurich.
7 As soon as I discover them, in fact, the recommend of
8 agreement --

9 MS. TRIGIANI: Have to.

10 MR. COOPER: -- for timely notification,
11 I'm required to do that for both the Army and Zurich.

12 MS. TRIGIANI: Thank you.

13 MR. ULLENSVANG: One thing to note, on a
14 site like this, the criteria to trigger an event like a
15 claim is very challenging. It's becoming unforeseeable
16 and unknown.

17 So the landfill growing is foreseeable.

18 MS. TRIGIANI: Okay.

19 MR. ULLENSVANG: Those sorts of things.
20 So it's very difficult. You have to find some
21 completely new contaminant that wasn't expected to be
22 there that changes the cost.

23 MS. TRIGIANI: And an act of God would
24 qualify as that quite possible?

25 MR. ULLENSVANG: Acts of God are called

1 out, but I don't know where they fall.

2 MS. TRIGIANI: Thank you.

3 MR. COOPER: I don't remember.

4 Any questions on landfill 8?

5 MR. BUDROE: Just the question of the
6 chair.

7 Are we going to discuss landfill 10?

8 MR. BERMAN: We've sort of been
9 discussing it pretty much.

10 MR. YOUNGKIN: We're scheduled to take a
11 break.

12 Should we skip the break?

13 MS. YAROS: Skip the break.

14 MR. BERMAN: In the cost estimate --
15 Craig, in the cost estimate, what -- what was the -- was
16 it class II waste that -- for the clean -- the wings
17 that were going to be clean closed, was that considered
18 class II or class III?

19 MR. COOPER: We're looking it up. I
20 would assume not class III. My guess would be class II.

21 Another question. We'll get back to that
22 one.

23 MR. BERMAN: So the cost estimate is
24 based on a reasonable guess for the portion that would
25 be clean closed?

1 MR. COOPER: Yeah.

2 MS. BLUM: While he's looking it up,
3 Craig, what are the top three drivers that makes it cost
4 more than three times in '99? What are the drivers?

5 MR. COOPER: That one, I did put some
6 thoughts together on that one.

7 The volume estimates I think have changed
8 a little bit. We have been able to become -- we're
9 using a much more precise way to estimate landfill
10 volumes, and so that's one -- one reason for the change
11 in costs is the size, the aerial extent and the volume
12 of the landfills, and the other one is that we have a
13 better sense of, you know, construction, excavation and
14 disposal costs that we can actually experience, based on
15 real experiences in the Presidio, ARAR compliance, you
16 know, costs and things like that.

17 We've got -- we obviously have been able
18 to fine tune our cost estimates a lot better than folks
19 back in 19 -- late 1990s where they were just kind of
20 basing it on their professional judgment at other sites,
21 you know, in California.

22 So I think that the complexity and some of
23 these ARAR compliance costs, you know, may have been
24 underestimated back in the late 1990s, you know, than
25 what we are now.

1 We have a better sense of, you know, the
2 new information about the human remains. That's new
3 information that the folks in 1990s didn't know about,
4 and so there was an incremental cost associated with
5 having to bring in -- you know, like I said for any of
6 these remedies, we'll have to bring in monitors,
7 archeological monitors, maybe anthropologists, as well,
8 and the potential of working with the coroner if we do
9 exhume any remains. So that's new information.

10 We've had to do some geotech studies
11 while -- you know, and groundwater hydrology studies at
12 both sites, especially landfill 10, which I'll get to in
13 a minute here, but those are the ones I could think of
14 as far as what is -- what were some of the drivers to
15 change the cost estimate, increase the cost estimate
16 from 1999 till now.

17 MS. BLUM: And one the original estimate
18 from EKI?

19 MR. COOPER: Yeah, it was --

20 MS. BLUM: A contractor?

21 MR. COOPER: Yeah, but ultimately decided
22 upon by the trust. The trust.

23 MS. BLUM: The trust?

24 MR. COOPER: Yeah. It was a trust
25 decision. It was a trust decision to agree to these

1 numbers at the end of the day, and consultants really
2 only provide information for the decision-maker, and the
3 trust ultimately decided that that amount for landfill
4 10 was -- at landfill 8, excuse me, was good enough.

5 MS. BLUM: Thank you.

6 MR. DEIS: I do have a question. In the
7 financial spreadsheet that you handed out last time that
8 we looked at --

9 MR. COOPER: Mm-hmm.

10 MR. DEIS: -- was the 3.8 number in that?
11 Which number are you carrying?

12 MR. COOPER: For our new estimated
13 completion cost, the 3.8 has been carried into that.

14 MR. DEIS: And the same for landfill 10?

15 MR. COOPER: This isn't new cost
16 information. This has already been integrated into our
17 system.

18 Ready to move on?

19 Landfill 10, okay. So this is the other
20 one. The hospital is over here just to get you
21 orientated to it. Sorry for the weird orientation.

22 You'll notice that north is this way.
23 You're so familiar with this site, anyway. You pretty
24 much know what it's about. This is Lake Street and the
25 homes on Lake Street and 15th area and so on.

1 So this blue line shows the boundary
2 between area A and area B, so -- and this black line
3 shows the boundary of the landfill.

4 So you can kind of see that it's -- you
5 know, a lot of it is in area A here and then this
6 portion of the landfill, the parking lot and that kind
7 of flat sloping poorly, you know, degraded parking lot
8 is in area B.

9 And I think we all know that that's
10 between area A and B.

11 For landfill 10, these are the universe of
12 alternatives that we looked at. Basically the primary
13 alternatives are the same for the most part that we
14 looked at in alternatives 8, the no action.

15 The permeable cover, the low perm cover
16 and the complete -- the clean closure alternative.

17 Under the perm and low perm, we looked at
18 several various kinds of subalternatives, various design
19 options on how -- how to build a perm cover or low perm
20 cover.

21 They're basically the same. These
22 subalternatives are basically the same. They're each
23 for the perm and low perm, and I'll get into those in a
24 minute.

25 So -- and an important thing to think

1 about on landfill 10, I said that it had that steep
2 slope, so one thing that we need to do to improve slope
3 stability is basically make it not so steep, so that
4 that's difference in landfill and slope terminology.

5 We have different types of slope, starting
6 with a two to one, which you can see it's one for every
7 foot up, you go two feet over. 2.5 to one and three to
8 one, so when you think three to one, as you see it has
9 a -- a less steep slope, and the two to one as the
10 steeper slope, and that's going to be -- so all those
11 little subalternatives have different steepness of
12 slopes, and I'm going to describe those to you a little
13 bit.

14 So this is an important one to kind of
15 hang on to because we're going to talk about these.

16 All right. I know this is a little bit
17 hard to read, but basically -- so this is the first --
18 so 2A and 2B, this is the perm cover and the low perm
19 cover, and then A means the first kind of design sub-
20 alternative of how -- how we can make this landfill --
21 how we can make it look, and this one basically has the
22 same type slope all the way around on its edges, two to
23 one all the way around, and John, this one would need a
24 buttress --

25 MR. DE WITT: That's right.

1 MR. COOPER: -- in the central region.

2 So a buttress is something that is kind of
3 keyed in and built to help support the slope so it
4 doesn't fall in -- in a seismic event, and so John,
5 where would this buttress be?

6 MR. DE WITT: In the central region,
7 right below where the two to one is.

8 MR. COOPER: Between this blue line and
9 this blue line.

10 MR. DE WITT: The full width between
11 those two lines.

12 MR. ULLENSVANG: Craig, the buttress is
13 underlined.

14 MR. DE WITT: The two to one is the
15 steepest slope that can support the sand.

16 MR. BERMAN: All these cases, the
17 foundation, if you put the buttress in, the buttress
18 doesn't actually come in contact with the foundation or
19 does it? The foundation for the -- for the permeable
20 cover.

21 MR. DE WITT: The buttress would
22 physically be dug as a geotechnical engineer was
23 describing it to me.

24 I'm not a geotechnical engineer, but it's
25 about twelve feet down beneath the landfill below the

1 depth of -- into the material, it kind of digs out that
2 channel. You makes it with structured fill. You put it
3 in to keep the landfill from sliding down.

4 MR. BERMAN: It's not actually in contact
5 with the permeable cover at all. It's below the
6 landfill to maintain the landfill stability. So there's
7 actually no -- it's sort of my same question I asked
8 about 8.

9 What's to keep the foundation from moving,
10 the foundation of the permeable cover? Especially on
11 the steep slope. It's just going to be dropped in there
12 and it's going to stay there again by natural fraction.

13 MR. DE WITT: By compaction, yes, and one
14 of the things that was shown on this slide for the
15 sand -- the sand layer actually has a geo -- if we
16 looked at putting structural stability inside the sand
17 layer, because sand is much more likely to run than the
18 foundation layer.

19 So one of the things we -- Craig probably
20 talked about is the geotechnical strengthening of the
21 sand layer on top of the foundation layer.

22 So that's another factor that we
23 considered in these various alternatives.

24 MR. COOPER: Okay. So these are the --
25 the B subalternative design options where we have two to

1 one on the sides and then the three to one, so the less
2 steep slope in the central region, and notice that now
3 when you go to three to one, we didn't -- according to
4 our calculations, we didn't need to put a buttress in
5 the central section.

6 We just basically cut it back more, and
7 you can see it kind of goes into the parking lot area a
8 little bit more than the two to one.

9 See where it was two to one? The edge
10 right there, but when you cut back the slope a little
11 bit more, see how it moved into the parking lot to make
12 that slope angle less steep? Got it?

13 So you can kind of start to see the -- how
14 we're balancing things around a little bit.

15 Okay. This is the subalternative C. You
16 know, I'm going to start to crank through this. Maybe I
17 should start and start cranking through this faster.

18 We looked at two to one here and 2.5 to
19 one over there. This one doesn't need a buttress and I
20 don't know if it's in everyone's interest to go through
21 D, pin piles, which is a different way to support and
22 stabilize a landfill in the central region with
23 different slope options.

24 E is a 2.5 to one in the middle and two to
25 one, so slightly less steep in the middle kind of still

1 steeper and slides, no buttress or pin piles necessary.

2 F, again no buttress or pin piles and much
3 less -- the three to one down at the bottom and two to
4 one in that section there.

5 And G, no buttress or pin piles, either.
6 All slope 2.5 to one.

7 So as you can see, we went through a lot
8 of different configurations and machinations of how to
9 deal -- deal with that slope.

10 Now we're in the CERCLA evaluation
11 criteria, perm cover, low perm cover. Clean closure.
12 They're all protected. They all meet ARARs. They're
13 all in play in the balancing criteria.

14 Again, one word descriptions of these
15 really don't do them justice. They're all effective
16 in -- for short-term and long-term protection of the
17 environment and human health.

18 Again for the reduction of toxicity,
19 mobility and volume, not really -- none of the
20 alternatives really do a good job on that. They're all
21 implementable.

22 The real difference here is cost. Clean
23 closure is upwards to sixty million, whereas the perm
24 and low perm covers are comparable with the low perm
25 being slightly more expensive. We talked about that.

1 The trust is recommending alternative 2,
2 which is the permeable cover over the waste, and where
3 we will configure the slope so it's stabilized.

4 We can install the permeable cover, the
5 foundation layer and the dune sand over the top, monitor
6 groundwater and implement land use controls. That would
7 be required.

8 Again, the remedy -- the full range of
9 alternative 2 is 4.9 to 7.1, but -- and I'll get to
10 them.

11 We actually are recommending some design
12 subalternatives, too, and I'll get to the cost of those
13 in a second, but in general, this is why we're -- we
14 think alternative 2 is the best fit for landfill 10.

15 We think that if you look at our detailed
16 analysis in those tables in the feasibility study, we
17 think it does the best job against the evaluation
18 criteria.

19 There's really no significant groundwater
20 impacts identified, so the low perm cover wasn't
21 necessary. It fits in with the future land use just
22 fine, and it's the most cost-effective when compared
23 against the others.

24 So as far as those design subalternatives
25 that we're leaning towards -- we haven't made a final

1 decision on those. We're looking at 2E, F and G, and
2 you can flip through your notes to see which ones those
3 are.

4 We think that these three are the best as
5 far as balancing the area A and area B land use, future
6 land use needs, and -- and kind of the best for
7 aesthetics and -- that -- we think that would be the
8 best for the future land use of the site in general and
9 would be the most acceptable to the neighbors, we hope.

10 MR. BERMAN: Roughly how many cubic yards
11 are involved in -- if you go with this alternative 2
12 with the slope stabilized?

13 There's going to be a lot of removal,
14 right, so I mean --

15 MR. COOPER: A lot of reconfiguring of
16 the site.

17 MR. BERMAN: Right. So you're going to
18 have to move a lot of dirt.

19 MR. COOPER: Right.

20 MR. BERMAN: So is that --

21 MR. COOPER: That's a line item in the
22 cost estimate.

23 MR. BERMAN: Roughly is that -- what
24 fraction of the total landfill volume is that?

25 MR. COOPER: Gets moved.

1 MR. DE WITT: It ranges from 7 -- 10,000
2 to 35,000 cubic yards.

3 MR. COOPER: Out of a total of --

4 MR. DE WITT: 140.

5 MR. COOPER: Out of a total of 140.

6 MR. BERMAN: So it could be as much as
7 twenty, 25 percent of it that has -- and so when you do
8 that, does that go off-site or does it remain on-site?

9 MR. DE WITT: Some of it is consolidated
10 on the top for the sides and slopes to try to make the
11 slopes, but we've got estimates ranging from 2,000 to
12 14,000 yards going off-site at disposal.

13 MR. COOPER: If we can't find a place to
14 fit it, it has to go.

15 MR. BERMAN: And that's class II
16 material, also?

17 MR. DE WITT: For landfill 10 it assumes
18 that the -- between ninety percent of the material's
19 class II and ten percent is non-hazardous material.

20 MR. COOPER: So mostly class II.

21 Okay. As far as costs go, again, same
22 type situation with landfill 8.

23 The -- the amount that was set aside back
24 in 1999 is not matching up with the amount that we think
25 that -- is going to remedy landfill 10, but I put here

1 for the subalternative -- even though this is the
2 ultimate range for the universe of alternative 2, for
3 the subdesign options that we're looking at, they
4 actually fit into the lower end of the range for the
5 alternative 2 remedy.

6 MR. SUTTER: Craig?

7 MR. COOPER: Yes.

8 MR. SUTTER: Yeah. The 1999 estimates
9 and also for landfill 8, were they based upon a
10 permeable cap?

11 MR. COOPER: Yeah. You can see the
12 proposed remedy here is -- was control surface water,
13 drainage. This is back in 1999. So the remedies are
14 different.

15 MR. ULLENSVANG: I don't think it was a
16 cap on 10.

17 MR. COOPER: Right, yeah. Just surface
18 water control, a buttress, you know. We already talked
19 about what a buttress is, and monitor groundwater.

20 That's what the negotiators kind of
21 thought as a straw man remedy for landfill 10. That's
22 where we landed, and we know that that -- this remedy
23 cannot even be implemented at this point in time because
24 we've discovered that it's contaminated waste that we
25 can't leave surface exposure to, so a cap is now

1 necessary.

2 So that's -- for landfill 10, that's the
3 new cost driver is that now we need to put a permeable
4 cover in and cover -- and cover the waste to prevent
5 exposures.

6 MR. SUTTER: That was the same analysis
7 done in 1999 on landfill 8, as well?

8 MR. COOPER: On 8, I would have to go
9 back. We should have spent a little bit more, but on 8,
10 in this slide, there was a proposed remedy in this
11 slide, as well.

12 MR. BERMAN: It did not have a cap.

13 MR. COOPER: 8 did have a cover, yeah.

14 MR. BERMAN: But it wasn't --

15 MR. COOPER: Again, the problem with 8 is
16 that we found the extent was -- it's a lot bigger and --
17 yeah. Has a bigger surface area than back in the '90s.

18 Jim, you had a question.

19 MR. PONTON: I have a couple questions.
20 Currently, there's a parking lot on roughly two-thirds,
21 I'd say, of landfill 10.

22 MR. COOPER: Mm-hmm.

23 MR. PONTON: Was the -- I'm assuming a
24 parking lot would go back?

25 MR. COOPER: Yeah.

1 MR. PONTON: Will that component -- will
2 the parking lot use constitute a portion of an inquiry
3 look at --

4 MR. COOPER: Yeah.

5 MR. PONTON: One question.

6 MR. COOPER: Okay.

7 MR. PONTON: And the other question is --
8 my other question was: Does the current parking lot
9 serve in some way to prevent infiltration through the
10 waste and create a shadow -- it's serving as a permeable
11 cap now, although it's in a bad state of disrepair.

12 Is it serving to protect the waste as it
13 is, and by removing that and putting a permeable cover,
14 are we going to increase the likely --

15 MR. ULLENSVANG: The new parking lot
16 would we assume be better than the existing one.

17 MR. PONTON: Right.

18 MR. ULLENSVANG: But neither is
19 considered to be a low perm alternative.

20 Under the low perm alternative,
21 alternative 3 that there would be a geo membrane to be
22 placed under the parking lot as the added impermeable
23 lower, low perm lower layer, but obviously an asphalt
24 cover does provide some protection.

25 MR. PONTON: Right. That was the remedy

1 for landfill 8, I believe, was an asphalt cover.

2 MR. ULLENSVANG: Either soil or asphalt.

3 MR. PONTON: So my concern, not having
4 looked at the data, is the current parking lot acting as
5 an umbrella, and also the -- if the back parking lot is
6 in better shape, is it going to change to something that
7 is permeable to a hybrid, to an upper portion which is
8 impermeable to storm water drains to a portion that's
9 permeable?

10 MR. COOPER: Right. It will definitely
11 be better storm water controls than our parking lot. We
12 will, but our current landfill does.

13 MR. ULLENSVANG: If you look at the
14 current parking lot, it's in pretty bad shape. There's
15 pretty differential settlement.

16 MR. PONTON: I'm not suggesting that it
17 serves as airtight or watertight seal, but it's
18 definitely a parking lot.

19 MR. ULLENSVANG: It is a parking lot.

20 MR. PONTON: And it is sloped and it does
21 deflect runoff in the direction.

22 MR. ULLENSVANG: Under the alternative 2
23 or 3, there would be a parking lot on the top in roughly
24 the same configuration in each alternative.

25 MR. PONTON: Right.

1 MR. BERMAN: In your cost estimate, is
2 the actual construction of the parking lot included or
3 was that something that is being paid for by the end
4 users?

5 MR. COOPER: John, did we actually
6 include the --

7 MR. DE WITT: Yes. We included 60,000
8 square feet of parking to replace that.

9 MR. COOPER: So we included the pavement.

10 MR. DE WITT: Yes.

11 MR. COOPER: Just the pavement.

12 Did we include the landscape strips?

13 MR. DE WITT: Just paving.

14 MR. COOPER: We just included pavement.

15 MR. DE WITT: And that's actually the
16 same cost for alternatives, even though, depending on as
17 Craig said, the slope changes for different ones, but to
18 make the cost estimates work, we used the same cost
19 estimates.

20 MR. COOPER: Again, just because it's a
21 line item in this feasibility study, something like
22 that, doesn't mean that ultimately it's going to come
23 out of the remediation budget. A lot of it is for full
24 disclosure of the implications of a remedy.

25 MR. BERMAN: Yeah.

1 MR. COOPER: And that particular line
2 item, I would like -- when I pin it down with the
3 planning department, I'm going to build a foundation
4 layer and finish the CERCLA remedy and then you're going
5 to -- for the parking lot, you're going to put in the
6 pavement and the landscape strips and the lighting and
7 stuff like that.

8 So they need to get their budgets
9 together, as well.

10 MR. DE WITT: That goes to his question
11 by not calling the pavement a permeable -- an
12 impermeable cover, it is no longer part of the remedy,
13 so it could really be in the planning department's part.

14 MS. TRIGIANI: I think that's a marvelous
15 idea.

16 MR. COOPER: Yeah. Okay. Next step, you
17 guys have now got a draft feasibility study. Again, if
18 you didn't get it on CD. There's a CD on the table over
19 there. I hope, right.

20 MR. DE WITT: Yeah.

21 MR. COOPER: There's still some left
22 there. So if you want to dive in deep into the
23 feasibility study, you can see it's a pretty big
24 document. You can look at it on CD if you want. It's
25 at the trust.

1 Barbara Janice has been on vacation this
2 week. That's why the e-mail notification hasn't come
3 out, by the way, because Barbara's been on vacation, but
4 it will get there.

5 She will send out her e-mail, and what
6 we're going to do is at least, you know, you got to
7 let -- get some initial feedback from you all and from
8 the regulators about their thoughts about this -- our
9 recommendations, but alternative 5B for landfill 8 and
10 alternative 2 for landfill 10 with those sub-
11 alternatives that we discussed.

12 There's portions -- RAP number 4 is the
13 RAP that these two sites will get incorporated into. So
14 there's portions that we can start working on, but we're
15 not going to start working on the actual selected remedy
16 section until we get some -- some more feedback from
17 folks, and we got to start thinking about CEQA, you
18 know -- any of these kind of cover remedies are going to
19 have a lot of common CEQA impacts that we need to start
20 exploring, as well, and that takes a lot of work, and to
21 be able to do the kind of stuff, we have to at least
22 begin some preliminary thinking about designs and what
23 kind of designs would have different CEQA impact, and we
24 need to start talking to the neighbors that live very
25 close to this landfill, also.

1 If everything goes right, RAP number 4
2 will get put together at the end of this year and we
3 hope to get it out on the streets for formal public
4 comments in 2006 and the construction wouldn't happen
5 until 2007.

6 Even if the RAP is signed and we need the
7 remediation design done by 2006, it's not a project that
8 we want to do in the rainy season. So the whole thing
9 will get pushed to 2007 dry season.

10 MS. TRIGIANI: Craig, did you give us a
11 deadline on when you want comments on the draft or did I
12 miss that?

13 MR. COOPER: I have not given you a
14 deadline. It's -- you know, I -- under CERCLA, you're
15 not even required to comment on a feasibility study.

16 I would -- you know, just to kind of keep
17 things timely, within thirty to 45 days would be great,
18 because there will be some other document.

19 If you don't dive into it now, there will
20 be some other document coming in that's going to
21 distract you.

22 If my presentation has interested you at
23 all, I really encourage you to dive into the feasibility
24 study. Whether you can individually write me a letter,
25 or as a group, write me a letter, as well.

1 MS. YAROS: Craig --

2 MR. COOPER: Yes.

3 MS. YAROS: -- are these cost estimates
4 projected for 2007 or is that what we are now?

5 MR. COOPER: That's in -- well, it's --
6 they're in 2005 dollars, but it's like if we were to
7 build, you know, this project now, this is how much it
8 would cost. So it's in current day dollars.

9 MS. YAROS: So we should assume it would
10 be more by 2007?

11 MR. COOPER: Does it assume a
12 construction start?

13 MR. DE WITT: No. It assumes --
14 construction start would be 2005, and then operations
15 maintenance costs start with following year.

16 MR. COOPER: Right. So there is
17 inflation, you know, that happens every year. So every
18 year the construction start date slips, the capital cost
19 portion of the remedy will -- will grow.

20 MR. YOUNGKIN: There's contingency in the
21 number.

22 MR. COOPER: There's contingency in the
23 number to handle inflation.

24 MR. YOUNGKIN: Thirty percent or --

25 MR. DE WITT: These do have thirty

1 percent contingency.

2 MR. YOUNGKIN: Okay.

3 MR. BERMAN: How many years of monitoring
4 were included in both 8 and 10?

5 MR. COOPER: To answer that question,
6 there is a twenty percent contingency in the capital
7 cost to handle things like inflation and unknown things
8 and things like that.

9 Sam just asked how many years of
10 groundwater monitoring did we assume for feasibility
11 study costing purposes. It would be --

12 MR. DE WITT: It varies. For the most
13 alternatives, we assume ten years of groundwater
14 monitoring, which has a tapered effect, quarterly for a
15 couple years, then semi-annually, then annually to year
16 10.

17 After that monitoring continues, but it's
18 a -- because there's a cap in place, land use controls
19 to make sure the cap is still there.

20 For the complete excavation alternatives,
21 we assume that groundwater monitoring would be done
22 quarterly for three years, and after that, we notice no
23 new change, and because wastes have been removed, no
24 more monitoring will be done.

25 MR. BERMAN: Right. I'm just interested

1 in the -- in the preferred choice.

2 MR. COOPER: Ten years.

3 MR. BERMAN: Ten years. Is that -- I
4 mean, if you look at experience the way this has been
5 done in some other places, is ten years a reasonable
6 number?

7 MR. DE WITT: Jim could probably answer
8 that.

9 MR. PONTON: It all depends.

10 MR. BERMAN: And what about the other
11 land use -- the other things like examining the
12 condition of the cap and other things like that are not
13 part of the groundwater monitoring, but presumably once
14 you have a cap in place, you have to have some kind of
15 program for -- for annual or -- I don't know. At some
16 schedule of -- of the status of such.

17 Is that also on -- just for ten years or
18 is that in perpetuity?

19 MR. DE WITT: For cost estimating
20 purposes, we assume cap inspection occurred every year
21 for thirty years.

22 So rent things out for thirty years, which
23 is about the same as in perpetuity.

24 MR. BERMAN: It certainly looks like a
25 formidable amount of work that has been done on this,

1 and there's a lot of detail to look at in the full
2 report, but just as an overall initial comment, these
3 are two sizable landfills that seems like the first ones
4 that are really were sizable caps are now proposed as
5 the -- as the preferred alternative.

6 So up until now, the -- it's been mostly
7 the clean closure, but now we're moving away from that
8 into a philosophy of capping, and without looking at the
9 details and all this, there's tremendous gaps between
10 the cost of clean closure and the capping.

11 I mean, ten million in one case and six or
12 eight million in the other. So there's huge gaps in
13 there, and certainly from an economic -- from the point
14 of view of cost-effectiveness, if it works, the clean
15 closures seem to be defeating -- effectively defeated.

16 On the other hand, this is the first time
17 we've seen these caps now as the preferred alternative
18 with some kind of analysis that says that in clean
19 closures, which deep in our hearts is what we all really
20 want because that's the one that we know will last
21 forever and will be absolutely successful, the goal of
22 achieving that seems ever more difficult in this
23 presentation.

24 MR. COOPER: It's actually our second
25 feasibility. The landfill E feasibility study also

1 recommended a cap. This is our second feasibility study
2 recommending caps.

3 MR. BERMAN: But where the process has
4 actually gone to construction, it's always been -- been
5 clean closures, so our experience has been -- our hopes
6 as a public body expressed by many of us here -- and I
7 don't know if it's unanimous -- is what we've all wanted
8 was clean closure for everything, but as demonstrated
9 here and also in landfill E that the financial burdens
10 by such a -- by going to such an action is so severe, it
11 appears to be outside -- really outside the limits of
12 what -- what is feasible.

13 I mean, because if you add clean closure
14 for landfill E and 8 and 10, you're up to 25 million
15 dollars or thirty million dollars more overrun, and so
16 it looks like from the public's point of view, we don't
17 have enough money to do the dream effort and now we're
18 going for what we do with the money.

19 Is that a fair conclusion?

20 MR. COOPER: Yes.

21 MR. YOUNGKIN: Okay. We're running over
22 time.

23 We've had a lot of discussion in the
24 presentation already.

25 MR. BERMAN: Yeah.

1 MR. YOUNGKIN: So it seems like we've
2 already done the second part of the discussion of the
3 feasibility study.

4 Should we move on to the regulatory
5 report? Jim and Bob, have anything to talk about?

6 MR. BOGGS: I don't have anything to add
7 at this point?

8 MR. PONTON: No. Just welcome to
9 everybody here and to the new people. It's going to be
10 fun.

11 MR. YOUNGKIN: Any other announcements,
12 action items?

13 The only action item I have here was
14 comment on this feasibility study in thirty to 45 days.
15 If anybody has thoughts. Write them up, send them in.

16 MR. BERMAN: Are we going to talk about
17 this at all in the next planning committee?

18 MR. YOUNGKIN: We'd like to.

19 MR. BERMAN: Plus the financial burdens
20 and the financial reporting.

21 MR. YOUNGKIN: Everybody should have a
22 chance to skim through the document by then.

23 Anything else? Any announcements?

24 MS. BLUM: For the committee meeting, I
25 would also very much like to talk about landfill E.

1 One thing -- Craig, this is way out of
2 your purview, but that is such an incredibly special
3 region for wildlife, that's a planned wildlife quarter
4 for the trust.

5 It's in PTEMP, and just the idea that we
6 would leave toxic waste in place where we have
7 recreational and ecological use is, as you know, very
8 troublesome to me and to other people, and I am
9 wondering if the trust -- first of all, I personally
10 feel like I need a little more breathing room on that
11 particular remedy, and I know it hasn't gone to the
12 public commentary stage yet, but what I'm going to say
13 is that this would be an ideal opportunity for the trust
14 to reach out to the community to absolutely do the
15 visionary right thing in that particular area, which is
16 just so incredibly special in not only Presidio, but in
17 the Bay Area in its entirety.

18 We just never have a chance to create a
19 watershed out of pure pipes, and I just challenge the
20 fact that we cannot do more in terms of generating
21 public interest and from a philanthropic -- from a
22 visionary standpoint just the way Crissy Field occurred.

23 The money was just horrendous that came
24 for Crissy Field and the volunteer output and the
25 community really got behind that, so I'm just not

1 accepting the fact that we need to leave toxic waste in
2 place and then cap it. It just doesn't make sense to me
3 for a watershed.

4 So I just would like to suggest that as
5 a -- maybe a different way of thinking about it, maybe
6 give it some breathing room.

7 I know times are tough, but I think people
8 always have money. There's a lot of money in the Bay
9 Area for really extraordinary projects, which this is
10 definitely one.

11 So I just put that on the table. Thank
12 you.

13 MR. YOUNGKIN: Thank you.

14
15 Anything else? Anyone else like to say
16 anything?

17 The meeting is adjourned.

18 (The meeting concluded at 9:16 PM).

19 ---oOo---

20

21

22

23

24

25

1 STATE OF CALIFORNIA)

2 COUNTY OF SAN FRANCISCO)

3

4 I, the undersigned, hereby certify that the
5 discussion in the foregoing meeting was taken at the
6 time and place therein stated; that the foregoing is a
7 full, true and complete record of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the
10 foregoing meeting and caption named, or in any way
11 interested in the outcome of the cause named in said
12 action.

13

14 IN WITNESS WHEREOF, I have
15 hereunto set my hand this
16 _____ day of

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS
TUESDAY, JULY 12, 2005
OFFICER'S CLUB, BUILDING 50
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:
Doug Kern, Facilitator
Craig Cooper
Brian Ullenvang
Mark Youngkin
Jim Ponton
Jan Monaghan
Julian Hulgren
Jan Blum
Tracy Wright
Jerry Anderson
David Sutter
Karen Cleek
Julie Cheever
Mark Frey

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on July 12, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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AGENDA

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1 FACILITATOR KERN: So I would like to
2 welcome this very large crowd --

3 MS. BLUM: A dedicated crowd.

4 FACILITATOR KERN: -- to the regularly
5 scheduled meeting of the Presidio Restoration Advisory
6 Board.

7 Occasionally in the summer, we do have some
8 depletion of attendees, so thank you all for being here for
9 this meeting.

10 I would like to -- does everybody have an
11 agenda?

12 MS. BLUM: Yes.

13 FACILITATOR KERN: And are there any changes
14 or additions?

15 Very well. Are there any announcements?

16 MR. ULLENSVANG: Old business.

17 FACILITATOR KERN: Please.

18 MR. ULLENSVANG: A couple RAB meetings ago,
19 we discussed having remediation maps and we had a prototype
20 two meetings ago and people requested they be organized in
21 different ways. So I have these to hand out and you can
22 all take one of each. You can tell the difference easily
23 by the title on the right corner.

24 MS. MONAGHAN: It pays to show up here.

25 MR. ANDERSON: Are they in separate files?

1 MR. ULLENSVANG: Yes. I'll give you one
2 more of those and one more of these.

3 FACILITATOR KERN: You basically organized
4 one is by the RAB.

5 MR. ULLENSVANG: And one by the
6 construction.

7 FACILITATOR KERN: Great. It should be very
8 helpful.

9 MS. MONAGHAN: Thanks, Brian.

10 MR. ULLENSVANG: Sure.

11 If anyone sees any other ways that we'd like
12 it organized, just let me know.

13 FACILITATOR KERN: Can we change the 2005
14 construction color from red to orange?

15 MR. ULLENSVANG: If you like.

16 MS. CLEEK: Is that for more contrast?

17 FACILITATOR KERN: No. I think this is very
18 -- very nice. Thank you.

19 Are there any other announcements?

20 MR. COOPER: Yes. I have an announcement.

21 This is concerning a -- a glass vial was discovered late
22 last week at the Presidio, and I have -- I meant to show it
23 on the screen, but I have a picture of it.

24 So this was found, and also I'm passing the
25 picture of it around.

1 This was found in -- are you going to focus
2 it Jim? Thanks.

3 FACILITATOR KERN: How big is this?

4 MR. COOPER: Okay. It's about six inches
5 long and about an inch or less than an inch in diameter.

6 So it was found in the eucalyptus forest area
7 near Battery Stotsenburg, and for people who don't know
8 where Battery Stotsenburg is, since we all have these maps
9 in front of us here, there is not a remediation site, but
10 basically if you see where landfill 4 is.

11 If you go due south from landfill 4, you can
12 see some -- first, there's two buildings next to each
13 other, and if you keep heading south from there, you can
14 see the outline of a battery. That's Battery Stotsenburg.

15 MR. YOUNGKIN: The wine --

16 FACILITATOR KERN: It's where the wine
17 vendor is.

18 MS. BLUM: Rawhill.

19 MR. COOPER: Right. So if you go to the
20 west side of Battery Stotsenburg, the very west part of
21 that, you know how all those batteries have soil banked on
22 it, so it was like the embankment of soil on the west side,
23 so -- and it was found on the ground and -- by someone
24 doing bird watching.

25 I haven't talked to this person. It's either

1 a member of the public or someone who is doing a bird
2 survey for the trust. I need that sort that point out, but
3 the -- that person contacted someone at the trust who
4 contacted our hazardous materials person who immediately
5 went up there and assessed the situation and was able to
6 collect the vial, put it in a ziploc bag, take it and put
7 it in a drum that's called formiculite, which is
8 sawdust-type stuff, and we immediately put it in a vault at
9 central magazine.

10 Unlike, you know, two years ago where the
11 bottles -- the bottle with unknown content was mishandled a
12 little bit internally, our protocols worked a lot better
13 this time and it was secured immediately.

14 And so then we took some digital photos like
15 this one. So what my job is when I'm notified is that I
16 take these digital photos, put some e-mail with a few brief
17 facts, send it to Bruce Handel in Sacramento.

18 Bruce then immediately forwarded it to some
19 folks that are experts in this, so they can do at least a
20 preliminary assessment just from looking at the photograph,
21 and it's -- it did match up with known kind of like the
22 size of the vial or ampule, as it's called, because you
23 notice there's no cap on this particular glass vial, so
24 it's called an ampule, a word that I learned, and so this
25 particular ampule does match up with ampules that could

1 contain a mustard agent type chemical.

2 Because it was a potential match and it
3 got -- according to Bruce, it got distributed to quite a
4 few people, you know, they decided to activate their
5 technical escort -- what's called technical escort unit,
6 the kind of chemical -- the first responders to folks
7 like -- the folks that came out two years ago to take the
8 bottles last time, that same company, that's called, and
9 the only thing that was -- you know, didn't make sense is
10 you can tell from the photograph, the glass vial itself
11 looked very clean. It looked like it was -- it doesn't
12 look like something from 1942 or '38.

13 It looked like something from 2005 or 2004,
14 but -- but erring on the side of caution and not knowing
15 what this was, and because of the color of the liquid and
16 the size of the ampule itself, we decided to activate, you
17 know, the Army experts to come in, and what they did is
18 they brought in a team and they brought in this very
19 specialized equipment where they were able to take the
20 glass vial and put it in a machine and basically shoot a
21 laser through it, and so it did not break the vial up at
22 all.

23 They were able to shoot a laser through it,
24 and just through this kind of spectometry type work, an
25 infrared beam looks through it, and the computer is able to

1 do a match through the chemical composition of the liquid,
2 and it turned out to be methylbromide, which is a
3 commercial pesticide.

4 So it is not a mustard agent or any type of
5 warfare agent. It is -- it's a -- it's a pesticide that's
6 oftentimes used to kill termites -- insects in soil and
7 termites and things like that.

8 For example, I went to a Website real fast
9 and learned that like when people's homes get tented, they
10 oftentimes fumigate that house with methylbromide.

11 MR. ANDERSON: Was it usually kept in an
12 ampule?

13 MR. COOPER: They were surprised to see it
14 kept in a ampule like this. I don't think they were
15 methylbromide experts, but they did say just a couple
16 months ago in Hawaii they got called in for a very similar
17 ampule, and it turned out to be methylbromide, also, but
18 there was no label, no markings, nothing on this thing.

19 So that is -- I was just, you know, thinking
20 myself, I'd like to contact the manufacturer of this, you
21 know, chemical and say, "At least start labeling your vials
22 so we can look down and say, 'oh, this is -- you know, it's
23 not mustard agent.'"

24 It's one thing finding it in the commercial
25 setting, but in a park, a former military base, our mind

1 starts going in different directions where we find ampules
2 like this.

3 FACILITATOR KERN: It's poisonous.

4 MR. COOPER: It's still a dangerous -- if
5 someone was to break that open and drink it or whatever, it
6 definitely would make them sick.

7 I just started to read the MSDS sheet for
8 methylbromide and, yeah, it's -- it's not a good thing.

9 FACILITATOR KERN: I think it's the same
10 material that is used for the strawberry fields --

11 MR. COOPER: Mm-hmm.

12 FACILITATOR KERN: -- and it causes a lot of
13 issues for the workers.

14 MS. BLUM: Do you think we're facing another
15 fence issue here?

16 MR. COOPER: I -- Bob is not here, but
17 he -- that is -- you know, the last -- that was DTSC's call
18 last time for putting up the fence. That wasn't a trust or
19 Army recommendation.

20 Bob hasn't -- didn't say anything about a
21 fence this time.

22 So I think what led to the fence on the first
23 one was not only was it the mustard agent, it was those
24 trenches that appeared to be a warfare training area at the
25 Inspiration Point area, whereas unlike we have walked the

1 area at Battery Stotsenburg.

2 Again, it's in a eucalyptus forest. The
3 leaves there are that high, but we basically did a survey.
4 Trust people immediately when we found it. We went back to
5 the site and walked around. The Army people did the same
6 thing.

7 We didn't see any vials on the ground,
8 additional vials, and Bob has not talked about a fence.

9 So I personally don't think a fence is
10 necessary. I think this is a -- you know, we can start to
11 speculate. It's probably too early to speculate, but it's
12 obviously -- because of the condition of the vial looking
13 so new, I think somebody just kind of chucked it over
14 there, and that's my -- why?

15 I need to think internally about how much we
16 want to investigate this. We don't have private eyes to
17 try to figure out -- but I think there's some pretty easy
18 stuff we can do as homes in that -- maybe they've been
19 fumigated recently.

20 There's some easy stuff that we can check
21 into to at least get a headstart to try and put together a
22 couple pieces to the puzzle, including talking to the --
23 the bird watcher that found the bottle in the first place.

24 We're basically just focused on taking care
25 of the bottle and getting it identified for the

1 investigation type work, and that was basically -- the
2 results were just found out today.

3 So -- any questions on that?

4 FACILITATOR KERN: Very good. Any other
5 announcements or old business?

6 Moving on, FOIA update.

7 I received a call back from the Department of
8 Interior person. Drum roll. They are going to make a
9 decision this Friday. This is something we've heard
10 before. We've all heard things like this, you know,
11 but I've never actually been called back.

12 So that was something totally -- I mentioned
13 this to Mark last night and it -- he had a good idea also
14 with respect to a conversation I had with Craig.

15 We may actually -- depending on the results
16 of that request, if we actually get what we want or we
17 don't -- if, for example, we don't get what we want, Craig
18 has offered if we ask him questions via a letter, that he
19 will try to answer our questions, so we may be able to
20 instigate case studies that we may want to investigate and
21 put in a letter and submit.

22 It's another option for us to consider that I
23 think we may want to begin that process.

24 So that's the Freedom of Information Act
25 request appeal update.

1 Any questions or thoughts? Dave, please.

2 MR. SUTTER: Yeah. Regarding a list of
3 questions, when we first got into the redacted insurance
4 policy issue, there was the presentation by the Marsh
5 McClennan individual who works on that, and myself and
6 George Dies put together a list of questions, a
7 comprehensive detailed list of questions relating to both
8 policies, the stop loss and the general environmental
9 pollution policies, and -- so we've got the questions --

10 FACILITATOR KERN: Okay.

11 MR. SUTTER: -- if that becomes a direction
12 to go.

13 FACILITATOR KERN: Great. I'm -- I assume
14 we'd prefer to get the actual documents.

15 MR. SUTTER: Yeah.

16 FACILITATOR KERN: All right. Moving ahead
17 related to the mustard gas area site that's been fenced off
18 for a long time, at our last committee meeting, we
19 discussed the idea of joining with several other community
20 groups who have written letters to the Presidio Trust about
21 this site that has been fenced off for quite a long time to
22 try to move that ahead to get the Army to respond, and it
23 has been requested that we write a letter, and so I put one
24 together.

25 Unfortunately I did not get to a copy machine

1 in time, so my apologies, but I can read this out. It's
2 pretty simple, and then we could either proceed, or if
3 people would like to modify it, we can certainly do that.

4 But I thought I would just read it and see
5 what people think.

6 It would be addressed to Craig Middleton.
7 "Dear Mr. Middleton, we are writing to you today to express
8 our concern regarding delays in the Army's response to the
9 site new fenced and known as the mustard gas site. We have
10 worked diligently with the Presidio Trust to urge the Army
11 to proceed with its investigation for over two years. The
12 site remains inaccessible to restoration and public uses.
13 We have also learned that recent discussions with the Army
14 seem to suggest that funding may not be available to the
15 Army even though they recognize the need to complete their
16 investigation. We strongly suggest that this public
17 resource warrants a timely response, that the Army secure
18 the necessary funding and finish their work. If we can be
19 of further assistance regarding public input on this
20 important project, please contact us. Sincerely, Mark
21 Youngkin, Presidio Restoration Advisory Board Committee
22 Coach."

23 It's not highly detailed. I haven't put in
24 things into it such as some of our suggestions have been
25 that the trust begin the work themselves, do their

1 investigation and bill the Army.

2 I think we don't need to necessarily include
3 that in this letter because this is for Craig Middleton's
4 use to show that there's public urgency around the
5 situation and that perhaps he can go to the legislators
6 and, you know, pressure the Army in that direction.

7 Does anybody have any thoughts about the
8 letter? Jerry.

9 MR. ANDERSON: Well, the Army's preliminary
10 report identified three other potentially hazardous areas,
11 and while we would like them to clean up the one area, they
12 said there's a potential hazard here and they're not doing
13 anything.

14 FACILITATOR KERN: That's correct. So I
15 could also add in the other sites. Okay. I'll make a note
16 of that.

17 Any other thoughts about this? Jan.

18 MS. BLUM: I think you said something like
19 this site has been closed for sometime or something --

20 FACILITATOR KERN: "It's been inaccessible
21 to restoration and public uses," and then I said we --
22 "we've worked diligently with Presidio Trust to urge the
23 Army to proceed with its investigation for over two years."

24 MS. BLUM: Okay. Fine. All right. Thank
25 you.

1 MS. CHEEVER: Could you reread the last
2 sentence?

3 FACILITATOR KERN: Surely. "We strongly
4 suggest that this public resource warrants a timely
5 response, that the Army secure the necessary funding and
6 finish their work." Yes.

7 MS. CHEEVER: How about "its work"?

8 FACILITATOR KERN: Sure. Of course.

9 MR. YOUNGKIN: Should the letter be
10 addressed to the Army or --

11 FACILITATOR KERN: Well, obviously the Army
12 is the one that needs to be doing this. We're trying to
13 give Craig Middleton some ammunition. I mean, so far the
14 letters have been written to Craig.

15 MS. MONAGHAN: I think we should ask for his
16 assistance in soliciting response from the Army, because we
17 didn't really ask him to do anything for us yet. That
18 should be at the beginning.

19 "We're writing you today to ask for your help
20 to get the Army to get off the dime."

21 FACILITATOR KERN: Yes.

22 MS. MONAGHAN: The other suggestion I was
23 going to say is at the end, maybe we should offer more
24 details or fill him in on more information to help him
25 pursue the matters.

1 FACILITATOR KERN: I made a few of these
2 notes, and since they're notes not fully written out, I
3 guess what I would like to do so it's not delayed further
4 is type this up, send it around, see if there are any
5 objections or additions and then with your blessing, we can
6 have Mark forward it on.

7 Does that make sense? Dave.

8 MR. SUTTER: I would be comfortable with you
9 incorporating the suggestions made just now, finalizing it
10 and sending it out rather than go around again.

11 MS. BLUM: Agreed.

12 FACILITATOR KERN: Okay. Does that meet
13 everyone's needs?

14 MS. CHEEVER: Do we need a motion, though,
15 to do that?

16 FACILITATOR KERN: I think it would be
17 appropriate to actually make a motion and vote on it.

18 MS. CHEEVER: Well, I move that we send the
19 letter to Craig with minor editing changes as discussed
20 tonight.

21 MS. BLUM: Second.

22 FACILITATOR KERN: Any further discussion?
23 All in favor, say aye.

24 FACILITATOR KERN: Very good. Motion
25 carries and I'll count it as one, two, three, four, five,

1 six, seven, eight, nine. Very good.

2 So I'll make the changes, send them over to
3 Mark and on his -- our behalf ask him to send that on.

4 We're moving on to fill site 6A status, and
5 I've asked Craig to talk a little bit about what's going on
6 at this large excavation site.

7 MR. COOPER: Correct. I'm glad I got the
8 computer going, because there are some photographs, and I
9 have a handout, too. I'll do the handout right after I do
10 this.

11 The fill site presentation is almost all
12 photos, so I'm going to talk about three things tonight.
13 The first up is fill site 6A. This is the only one with
14 text, and so far we've removed 62,000 tons of class III
15 waste, been hauled away from the site.

16 We've got approximately 10,000 more to go.
17 So far so good. Really -- there's a couple issues that I'm
18 going to talk about, but overall, it's been -- you know, I
19 think as I talked about last time, last month, the
20 contractor got off to a roaring start and has made a lot of
21 progress quickly.

22 There is -- with truck drivers after the
23 first couple days, there's always a little bit of
24 confusion. They've been following the rules and driving in
25 a safe fashion, and as you can see, we're just about done

1 pulling out all of the waste.

2 And so I'm really happy with that, and Brian
3 Silbach of my staff has been doing a great job, been there
4 everyday watching the contractors.

5 MR. ANDERSON: Where does the class III
6 waste go?

7 MR. COOPER: It's going to a landfill near
8 Half Moon Bay.

9 MR. ULLENSVANG: Ox Mountain.

10 MR. COOPER: Ox Mountain, that's correct.
11 Right.

12 And, you know, the tenants around fill site
13 6A have been real good. Not a lot of complaints, really,
14 and so for being in such a high visible, high traffic area,
15 you know, so far so good.

16 I'm happy that, you know, nobody's been hurt
17 and it's been a good project.

18 A couple little things that have been
19 happening that I want to talk to you about that as you
20 know, we've been moving this very large storm drain down
21 the corridor of the site, and there's a certain segment
22 that we're not going to be able to remove.

23 It's not going to, you know, interfere with
24 our restoration plans for the project, but we've got some
25 photos of that, but we're not able to do that.

1 Talk a little bit about the redwood tree zone
2 in the middle of the site, the nurse's quarters over by
3 Girard Street, the basement there added a little added
4 complexity.

5 We've hit some petroleum over at those
6 nurse's quarters, as well, and the last thing -- and I
7 forgot to put it on the list -- is there was some
8 compounded groundwater that was released from the site and
9 went down the storm drain and into the marsh, and I'm going
10 to talk about all five of those things briefly.

11 So this is the site. You know, a couple
12 weeks ago, and it's taken from Lincoln Boulevard. So a
13 couple things going on here. You can see the storm drain
14 here. Lincoln is right about here, and this is the storm
15 drain opening, and the contractor basically has set up a
16 dam inside the storm drain where the little bit of water
17 that's going down the storm drain right now is pooled and
18 it's collected in this white pipe, and you can see that --
19 this is the detour water so we can get this storm drain
20 water, keep that flowing while they were pulling the pipe.

21 So that's what this white pipe is doing, and
22 it's just a temporary detour while they're doing the work,
23 and the excavator basically would go and pick up a segment
24 of storm drainpipe, put it over here, or you can see them
25 laying there and you can see what they look like when

1 they're done smashing them, so that is in process.

2 Now, this is obviously looking in the other
3 direction, so Lincoln Boulevard is over here. You can see
4 the cobblestone wall that's been exposed, which is pretty
5 exciting.

6 Oh, I think it was Gloria asked me the date
7 of the cobblestone wall last month, and I had the
8 historians look it up, and there's not an exact date, but
9 sometime between 1915 and 1930, more probably toward the
10 '30s, and so as you can see, this is the first little
11 complication that I want to talk about.

12 The storm drainpipe, the alignment was a
13 little bit -- all that -- you know, the maps that we have
14 regarding the alignment were a little bit off of the
15 alignment that we actually found in the field north storm
16 drainpipe, and the alignment was a little bit further to
17 the west than we thought, and you can see that the -- this
18 historic building right here, which is called building 225,
19 which was, I think, the old jail house or something like
20 that, is just a brick building.

21 It's not reinforced or supported or anything
22 like that, and once we started to work our way down, we
23 actually started at Lincoln Boulevard and started to work
24 this way. We started to see that this pipe was eight feet
25 over to the west -- closer and digging into the bank a lot

1 more, and so we were concerned that pulling out this
2 particular segment of pipe would undermine this entire bank
3 and -- and cause the building to fall.

4 We have another picture kind of showing this.
5 Oh, maybe I don't. No. Okay.

6 Well, anyway, so what we decided is that for
7 just this segment and this segment only, the pipe will be
8 abandoned in place and will -- we will make sure that there
9 isn't any sediment inside, and actually it's already been
10 inspected and there isn't, and we will use this kind of
11 load into the concrete and plug it up and then backfill,
12 because the new creek that's going to get built was always
13 designed to be way over on this portion of the site, so
14 this was always going to be just like part of the bank that
15 was going to go down to the creek.

16 So it will get -- will be clean soil placed
17 over the top of it. So you'll never see it. You'll never
18 know it's there. It's just -- I'm a little frustrated
19 because we really wanted to pull all the pipe out. The
20 pipe was coming out cleanly.

21 We thought it was going to be a real struggle
22 to pull out the pipe, and we just felt that it was not safe
23 based on the alignment.

24 MR. SUTTER: Is there any --

25 MR. COOPER: Any questions on that?

1 MR. SUTTER: Is there any particular
2 downside to leaving that particular segment of pipe in?

3 MR. COOPER: No. We talked to Mark Frey,
4 the guy in charge of the restoration at the site. We're
5 able to work with it. Our stream designers -- because as
6 you know, after the remediation contractor leaves, we're
7 bringing in a final grading team contractor that's going to
8 do that, and they've worked on the restoration plan.

9 They've been made aware of this and they said they
10 can, you know, work with this. In fact, I don't even know
11 if it's causing a significant -- Mark, do you know if it's
12 causing a significant change to their original design?

13 MR. FREY: No change.

14 MR. SUTTER: Actually, you may save some
15 money.

16 MR. COOPER: We're getting a credit. We
17 already told the contractor we wanted a credit. We were
18 paying for the pipe removal by segment, and so we've asked
19 for a credit for that particular piece.

20 MR. SUTTER: It will be a small amount of
21 money, but it will be a credit.

22 MR. COOPER: Right. Mm-hmm.

23 FACILITATOR KERN: It's always been
24 speculation that the Army put the pipe in the former creek
25 bed.

1 Can -- can you say whether evidence was found
2 of that or not? I mean --

3 MR. COOPER: Mm-hmm. The pipe -- I don't
4 think -- have we found any evidence of like creek
5 sediments? I guess that's what we've been looking for.

6 MR. FREY: I scrambled around down there and
7 I didn't see any evidence that it looks like that.

8 MR. ULLENSVANG: It was indicated that it
9 was not in the native soil.

10 MR. COOPER: And sitting on a bed of gravel,
11 yeah, which I guess for stability, they didn't want the
12 pipe rolling around.

13 FACILITATOR KERN: Right. Has there been
14 anywhere that did look like the former channel?

15 MR. FREY: Not that I've seen.

16 MR. COOPER: It was so disturbed is my guess.

17 FACILITATOR KERN: Okay.

18 MR. COOPER: I'll go through the rest of the
19 photos and make sure we talk about each one on the list.

20 Here you see an impounded area. This is from
21 Lincoln Boulevard again, if I'm right. And this -- what we
22 think is this groundwater that's surfacing in
23 this -- so you can see how deep, you know, we had to dig
24 down, way into native, and so the hole is filling up with
25 groundwater.

1 So it's approximately static groundwater
2 level in this, and of course this is way too deep. You
3 know, our final stream restoration plan is going to bring
4 the elevation up to I don't know, here again, and so we
5 need -- we're going to be backfilling this hole because
6 we're way back into native, but I just didn't -- I'm sure
7 you guys will go by the site, but there was groundwater
8 impounded here and various little kind of check-downs that
9 was built, and let's see if I have a -- and this -- whoops.
10 That went twice.

11 Okay. This is on the other side of the site
12 now, so -- now this is standing from Girard looking west,
13 and this is where the nurse's quarters were, so this is the
14 flat area of the site.

15 There are the redwood trees, and so then the
16 creek is over on the other side now.

17 So we wanted to show you a little bit of
18 what's going on here. There was -- we knew that there was
19 very large building on this segment of the site. It was
20 the nurse's quarters, and the basements were a little bit
21 deeper into the ground than we thought they were and that
22 caused -- we talked about how to handle that, whether just
23 to go after all the -- you know, the degree associated with
24 the basements and we decided that after doing some
25 exploratory trenching, it wasn't as much as we thought, so

1 we went after the soil -- the basements were filled up with
2 soil and a little bit deeper, but they were -- they came up
3 pretty easily.

4 And as we were digging up the basements, we
5 ended up hitting some petroleum -- some fairly heavily
6 petroleum stained areas, as well, so this is an example of
7 the basement floor.

8 It broke up pretty easily, and here the
9 contractor is potholing out some petroleum stained soil,
10 and I notified Jim of this, and you can see this is the
11 culprit on what brought in the petroleum to the site.

12 There was a fuel distribution -- fuel
13 distribution system pipeline that fed the nurse's quarters,
14 and that FDS pipeline is notorious for leaking and it
15 obviously had a leak in the vicinity of the nurse's
16 quarters.

17 So we're going to pull -- all the FDS piping
18 was pulled out, and we were able to dig out all of the
19 petroleum contaminated soil, as well. Let me just make
20 sure I hit on the other issues.

21 The redwood tree zone, that aisle of redwood
22 trees has been something we've been trying to preserve, so
23 what we've been doing is working with Peter Erlich, who is
24 a forester, and he's been working with Brian and the
25 remediation contractor to set back a setback zone that will

1 make -- you know, so we don't damage the tree roots, but at
2 the same time, going after the contaminated soil to the
3 maximum extent possible.

4 And we've had the water trucking by and
5 watering the trees to make sure they stay healthy, so what
6 we've been doing, as we enter kind of the tree zone, kind
7 of surgically digging under the tree roots, so we thought
8 they were going right into native.

9 We thought the trees were growing right into
10 native, the landfill and the debris from the nurse's
11 quarters and we thought they were in this depression.

12 Well, it does look like they were growing
13 into some fill, as well, the tree roots. So we kind of
14 exposed that, like a wedge of soil, and there was some --
15 underneath the tree roots, there was obviously like asphalt
16 chunks, and we were kind of able to surgically dig
17 underneath those and pull that out.

18 We felt like we removed the contaminated soil
19 without anything junky sticking out and we set up a testing
20 program on that. We haven't gotten the results back yet,
21 but that's been our strategy for the tree zone.

22 We talked about the nurse's quarters and we
23 talked about the petroleum, and the only other thing is I
24 don't have a good picture of it, unfortunately. This is
25 probably the best -- this is a very good picture of it.

1 There was a -- you can see how the
2 groundwater is impounded, and we impounded it in various
3 segments. A segment here and then two segments on this
4 side before it went to Lincoln Boulevard, and the
5 contractor had built these earthen dams here, and then as
6 you know, this water then re-enters the pipe, you know,
7 that goes down to Crissy Field Marsh, and so we had an
8 earthen dam here and then we had sandbags inside the pipe,
9 like a secondary backup dam.

10 Well, it wasn't last weekend. It was the
11 weekend before. This earthen dam became weakened and gave
12 way on a Saturday, and so the groundwater in -- that was
13 being pulled back here was released and ran into the
14 sandbags that were inside the 72 inch culvert inside this
15 pipe and then the remaining -- the groundwater was -- went
16 to Crissy Field Marsh.

17 So we think the sandbags held back a lot of
18 the sediment. We -- Brian and George were notified, went
19 to the site, went to the marsh to see what you generally
20 will see, like a plume of sediment going in, and there was
21 no visible sediment into the marsh, and we were not happy
22 about the situation. There was a lot of harsh words said
23 about this.

24 We had to notify Jim and we had some, you
25 know, information regarding the quality of the groundwater

1 that was being impounded here.

2 Not only we had groundwater monitoring data
3 from before we even started remediation and then we had
4 some information regarding -- some -- some test data with
5 water before, and it was, you know, not heavily
6 contaminated.

7 There was a little bit of lead or something
8 like that, all less than drinking water standards, but
9 there was the surface water standards that were very
10 stringent.

11 MR. ULLENSVANG: It was for several of the
12 sites.

13 MR. COOPER: Right. Obviously we've
14 improved our groundwater impoundment areas. Actually the
15 remediation contractor site manager ended up being fired
16 over this. He totally lost his job. So it was -- a lot of
17 screaming and yelling happened as a result of that.

18 FACILITATOR KERN: Would there be any
19 liability for the contractor as a result of this?

20 MR. COOPER: We think there is, and, you
21 know, I'm sure attorneys would get involved.

22 MR. PONTON: They would be liable.

23 MR. COOPER: So they would go after us and
24 we felt we could go after the contractor, if it was by the
25 Regional Board.

1 MS. BLUM: Craig, is there extra monitoring
2 now in the Crissy Marsh to evaluate its health in this
3 area?

4 MR. COOPER: Not that I'm aware of.

5 MR. ULLENSVANG: That was one of the things
6 that we were looking at. We were just told today the water
7 was above standards, so one of the things that we were
8 looking at was whether we should have the trust do that.

9 MS. BLUM: Okay.

10 MS. MONAGHAN: From this picture, is that a
11 lot of water, six feet deep or three inches deep?

12 MR. ULLENSVANG: It was estimated that it
13 was 20,000 gals.

14 MS. MONAGHAN: A lot of water.

15 MS. CLEEK: How much would have gone into
16 the marsh?

17 MR. COOPER: We can assume all the water
18 made it there. The sandbags would hold back any sediment.
19 That gave way, obviously was moving with the water and we
20 hoped a lot of it would get held back by the sandbags.

21 MS. CLEEK: Didn't you say the water was
22 held back in different sections? That's all the water in
23 total that we see?

24 MR. COOPER: Because on the other side of
25 this, there's this little hill of soil. There was other

1 dams holding back water that did not break. Only this last
2 one just in front of the outlet pipe, only this one broke.

3 MS. CLEEK: So what we see there is the
4 total that flowed into the marsh.

5 MR. COOPER: Just this segment, yeah.

6 MS. CLEEK: How much more would you say was
7 behind it that didn't flow in?

8 MR. COOPER: It's a bigger segment than back
9 here. At least twice as much.

10 MS. CLEEK: Okay.

11 MS. BLUM: Is this all the water?

12 MR. COOPER: No. Freshwater, right. So
13 there you have it.

14 FACILITATOR KERN: So Craig mentioned
15 tonight that he wanted to spend a little time talking about
16 building 1065. This is the site where previously there's
17 been a removal action.

18 I asked him, because they're going to release
19 the draft corrective action plan to us, give us just a
20 brief on what's going on with that.

21 He's also mentioned to me that as part of
22 their preferred remedy, they're going to use a -- a land
23 use control, and you may remember as part of our RAP 3
24 comments, we asked that the trust explain their process for
25 land use controls or kind of document it. So that's what

1 the next two items are.

2 MR. COOPER: Mm-hmm. First of all, I
3 totally forgot. I have the 1065 corrective action plan on
4 CD in my office. Crap. I planned on handing that out this
5 evening. I can mail it to folks.

6 MR. FREY: I can go get it.

7 MR. COOPER: If you walk into my office,
8 it's right off to the left. If you can bring all those CDs
9 and there's Doug's copy of the corrective action plan,
10 also.

11 MR. FREY: Paper copy.

12 MR. COOPER: Paper copy. Thanks.

13 Okay. So I know that there's been a little
14 bit of discussion about land use controls, and -- in our
15 remedial action plan and there's one for this corrective
16 action plan, as well, and I've got just a few slides to
17 talk about land use controls, and it is not meant to be a
18 full discussion.

19 It's supposed to be just a little tickler to,
20 you know, give you a little idea on how the Presidio Trust
21 plans on using, you know, what's our -- on using land use
22 controls to basically complement remedies and to make sure
23 that -- that people are protected.

24 So I know this is a lot of language here, but
25 I want to break down this sentence a little bit. It's my

1 own sentence. It's not out of my guidance or anything like
2 that, because there's all kinds of EPA guidance and DTSC
3 guidance about land use controls, but I want to break it
4 down and stick on this slide and break it down into words
5 that we can all understand, but in the Presidio,
6 administrative tools -- and that's what I want to talk
7 about in a little bit of detail.

8 "Ensures that human health is protected by
9 restricting uses, land uses, and activities at a
10 remediation site in a manner that recognizes and is
11 compatible with the remediation status of the site."

12 I know that's a lot of words and so on,
13 but -- but basically administrative tools is basically the
14 whole concept and land use controls is that we don't
15 want -- if we leave some waste in place or something above
16 the cleanup level that is acceptable for the land use at a
17 particular site as it's zoned right now, we want to make
18 sure that people in the future, the Presidio Trust in the
19 future or whoever's running the Presidio park in the
20 future, we have a permanent archive of each and every
21 little bit that's been left behind.

22 So nothing can get lost or forgotten or --
23 you know, so if -- if a land use changes and somebody wants
24 to build a school or a house or something like that, they
25 will -- they will know that they are building that school

1 or house or moving, you know, residents or students into a
2 place where there was waste left in place, and
3 if -- if -- you know, so it's basically a very important
4 archive tool and notification tool.

5 So we are able to make sure that people don't
6 come in contact with anything that's left in place in the
7 Presidio in the future.

8 So that's the general spirit of why you do a
9 land use control, and the administrative tools,
10 what we're -- what we'd like to do, there's -- and this is
11 going to be written up in a document called the Land Use
12 Control Master Reference Report that we're working on right
13 now, and maybe that's what we can, you know, talk about in
14 more detail when we get into this, but there's various ways
15 that the Presidio Trust as an agency will keep track of any
16 change in land use or, you know, a tenant moving to a
17 certain place.

18 Somebody wants to drill a hole in the ground.
19 Somebody wants to -- utility crews want to put in a utility
20 line in a certain place.

21 Before anybody can do any ground disturbing
22 activity, before anybody can change a land use, before
23 anybody can move anyone into a building, there's these
24 administrative groups.

25 One's called NSCARE. You know, we also have

1 a dig permit, but there's these -- these processes within
2 the Presidio Trust, and part of that process that -- that
3 the land use control -- our land use control management
4 plan will be checked to see if there's any remediation land
5 use control for that particular site.

6 So that's the general idea, and the Presidio
7 Trust, again we're putting together a land use control
8 document, and it's just for area B, the portion of the
9 Presidio that the trust is working on.

10 We're working on this particular document,
11 and the purpose, you know, is to identify remediation
12 sites, and sometimes it's not the entire remediation site.
13 It can be a portion of it.

14 Oftentimes a small portion that have a land
15 use control, and then the document will give a full
16 explanation of what are land use controls, when are they
17 necessary, what are these administrative controls and
18 groups that we're going to use inside the Presidio to make
19 sure that we're tracking these things and what are the --
20 what are the processes we're going to use to enforce and
21 track them.

22 Not only is it going to be a paper document,
23 but of course it's going to be available to the public.

24 We also plan on putting the essential
25 information on a -- on a Web based system, so project

1 proponents down the road can be able to zoom in on the
2 Presidio and -- and do a GIS -- I don't know if you're
3 familiar with that term. A GIS can do a land use control
4 to see what's on the adjacent property.

5 Our strategy is no land use controls. You
6 know, we have a preference for not only clean closure, but
7 for cleaning up to what we call -- what DTSC calls
8 unrestricted cleanup levels, and so what unrestricted
9 means, generally means you've met residential cleanup
10 levels, and I think we've talked about the cleanup level
11 document, and there's a column there for residential
12 cleanup levels.

13 So even for sites -- for example, at Baker
14 Beach 3, the land use there is recreational. We -- and the
15 Presidio Trust, we chose to clean that site up to meet
16 residential cleanup levels.

17 We didn't have to. We chose to do that,
18 because we -- wherever practical, we like to go for the
19 full, you know, residential cleanup, and there's certain,
20 you know, advantages to that because then there's -- it's
21 unrestricted use to that.

22 There's no land use control document that
23 needs to accompany that, and part of our rationale to do
24 that, to go for that extra step from recreational to
25 residential at many sites -- I'm not going to say all, but

1 once you decide you're going to start digging, to go that
2 extra step usually is not that much more money or effort
3 for us.

4 So that's why we generally like to go for
5 unrestricted, because once something's unrestricted, nobody
6 has to remember whether that piece of property is clean.
7 Unrestricted clean.

8 But in certain situations where -- where we
9 cannot make unrestricted cleanup levels, then that site or
10 portion of the site will get documented as a land use
11 control area, and land use controls -- you know, generally,
12 you can't use them alone.

13 You just can't say, "Oh, that contamination's
14 sitting on the ground. I'm not going to worry about it."
15 That's land use control. That's not how it works. You
16 can't do that.

17 I mean, if it succeeds, you know -- if it's
18 in a recreational zone and it exceeds recreational cleanup
19 levels, you can't say, "We're just going to write a piece
20 of paper and deal with that." It has to be -- the exposure
21 has to be cut. Either you dig it up and haul it away or
22 you have to cover and break that exposure pathway.

23 And so basically they're used in conjunction
24 with cover remedies, land use controls. So there's -- the
25 exposure pathway has been broken, but the land use control

1 makes sure that you don't go through that cover and re-
2 expose the contamination again and reopen that exposure
3 pathway.

4 FACILITATOR KERN: Question.

5 MS. MONAGHAN: You can also have fences for
6 land use control.

7 MR. COOPER: Correct. That is an avenue.
8 We're not going in that. The trust -- we're going
9 toward -- if we are going -- again, we don't try to use
10 them, but when we are going to use them, it will be more of
11 a cover remedy in conjunction with the paper administrative
12 land use control. Yeah.

13 But some facilities go with fences and we're
14 not -- we're not going to be big on fences at all.

15 MR. PONTON: Groundwater contamination, too,
16 there will be a lot of land uses.

17 MR. COOPER: Yeah. For where we feel that
18 groundwater contamination may be persistent, we would
19 control that, as well.

20 So -- and I think, you know, you guys are
21 probably wondering, oh, land use controls, the Army was
22 proposing those a lot and so on, so I sat down and thought
23 through my head where -- what's the universe?

24 And on -- where are land use controls, where
25 we think we're going to use them right away and where they

1 might be proposed or have already been proposed for the
2 future.

3 So already we know that we're going to have
4 some land use controls LTTD soil. That's where we talked
5 about that type soil. That's the soil that the Army
6 burned, petroleum contaminated soil that the Army heated up
7 and cleaned up, but it didn't clean up all the way,
8 basically, and the Regional Board under their order,
9 basically when we -- under their old order and under their
10 new order to us said okay. You can keep this type soil at
11 the Presidio, but there's certain rules about where it can
12 be buried and how it can be buried and so on, and those
13 rules basically are land use controls.

14 So, for example, one of the rules is this
15 type of soil can't be within fifty feet of a stream or
16 waterway. Another rule is that it has to be covered by at
17 least eighteen inches of clean soil.

18 So those type rules, just so -- you know,
19 what we did is we mapped out all the places that the Army
20 placed this type soil and then we want to make sure that
21 those rules that are in the Regional Board order are being
22 complied.

23 And so it's a way that nobody kind of forgets
24 where this soil is located and to make sure that we have,
25 you know, a periodic inspection program that those rules

1 about this soil are being complied.

2 Okay. 923/937 area is down in the Crissy
3 Field operable unit. It's an area that the Army cleaned up
4 under the Crissy Field operable unit in 1990s.

5 They did not meet -- they did the cleanup and
6 it was a complete cleanup, but they didn't take the cleanup
7 all the way to residential cleanup levels.

8 They did the cleanup and took them to
9 recreational cleanup levels, which is fine, because that
10 portion of the Presidio is in a recreational area, but, you
11 know, the downside, quote unquote, is that there's now a
12 land use control plopped on those buildings that
13 aren't -- that says you can't put a school in there. You
14 can't let people live in there because the soil was only
15 cleaned up to allow recreational use.

16 Okay. You kind of getting the idea? Yeah.

17 MR. HULTGREN: How does someone who wants to
18 do something with -- in a certain place find out whether
19 that land is subject to a control or not?

20 MR. COOPER: Right. That's a good -- for
21 example, 9 -- this is -- this is what -- the trust is
22 calling our project the West Crissy development area, and
23 there was a lot of -- not a lot. A little bit of publicity
24 when we did our request for proposals, and so that -- at
25 that point in time, you know, we had an open house and I

1 had a flyer that I handed out to all the folks that were
2 going to come and -- come up with proposals on, oh, at
3 building 923, I want to do this.

4 So they knew that there were certain
5 restrictions that they couldn't put in apartments or,
6 you -- you know, or have a school, a sit-down school there;
7 that it was basically for recreational uses, and as you --
8 I think a lot of people -- I know Jan knows a little bit
9 about the potential tenants for those buildings now are all
10 kind of in a recreational type tenant or commercial type,
11 you know, activity areas.

12 MR. HULTGREN: What about twenty, thirty
13 years from now when you're not here anymore, let's say?

14 MR. COOPER: Right.

15 MR. HULTGREN: Is there a -- does anyone who
16 wants to do anything have to go to a clearing house and
17 find out whether the land is subject or not?

18 MR. COOPER: That's a good question. Once
19 we get this Web based system going, you know, I --
20 definitely we want to use it internally, but we've actually
21 thought about letting -- when we send out these invitations
22 for bid, let people put a link there and they can look and
23 see our land use controls, you know, so the public could
24 see it in advance, just anybody could see it. So
25 that would be, you know, one way of it being kind of

1 permanently archived and getting the word out. So people
2 won't forget.

3 MS. BLUM: When you're mapping this, though,
4 you're using imaging rather than like a building number 937
5 which 25 years from now could be history just like so many
6 buildings are. Building 937 may not mean anything because
7 it's gone like so many of the sites that we have.

8 So you're doing a topography --

9 MR. COOPER: Absolutely.

10 MS. BLUM: -- and a pinpointed mapping
11 system that can be used.

12 MR. COOPER: This is like a name that we
13 gave that particular area. If you pull up that
14 documentation, there's maps and our GS system, we actually
15 made survey corners, as well, survey corners so that people
16 can -- can -- that helps archive where in space the land
17 use control zone is located, and we oftentimes will use
18 easily identified like, you know, Mason Street corners, you
19 know, and we're trying to be smart on trying to come up
20 with really easy identifiable, you know, locations, so that
21 when you're out in the field, you can kind of say oh, yeah.
22 Yes, our land use control zone here. A tenant is coming
23 out and wants to know where that is, yeah. So we're using
24 that kind of easily identified areas and surveying.

25 Okay. So -- oh, and these two basically were

1 Nina Larson from my staff lead based paint cleanups, and at
2 those two buildings, she basically chased some lead
3 contamination and it started to peter out.

4 It was getting fairly low, but her last
5 sample was just above the cleanup level, and it went
6 underneath the sidewalk, and it was a brand new sidewalk,
7 so we left it there.

8 Now, there's little situations like that
9 where, you know, we're tracking.

10 So this is the site that we know about for
11 sure that will get documented in our land use control
12 management plan, and these are ones that have been proposed
13 for the future, and this is the one that was in RAP 3, and
14 it was proposed by the trust and we are -- under
15 reconsideration. We're taking a look at your comments.

16 I know my presentation time shouldn't go on
17 too long, but let's save that one for another day, but we
18 are taking a look at a clean closure remedy and costing
19 that out, as well, for this one. That's why it's under
20 reconsideration.

21 Obviously any landfill site that's capped,
22 again these are just at feasibility study stage. So I'm
23 not saying for sure they are going to be capped, but that's
24 what the Presidio Trust feasibility study has recommended
25 for these three landfills. So whenever you cap a landfill,

1 you have to have a land use control on it.

2 So again, as I said, at building 1065
3 corrective action plan, there's -- there are two zones
4 there. I think it makes a lot of sense to have basically a
5 cap with a land use control zone, and when we talk about
6 the 1065 cap, I'll explained the rationale and my thinking
7 behind that.

8 The commissary PX site, which was a -- it's a
9 corrective action plan. We sent out a draft last year.
10 The trust is in the process of rethinking that proposal and
11 there's a good chance -- basically based on, you know, RAB
12 comments, we're rethinking our remedy and will not only get
13 RAB comments, but we got, you know, the whole story of the
14 Crissy Field Marsh expansion change in the middle of that
15 document, so it made us rethink our remedy there, and there
16 could be a cap remedy for commissary PX, which will have a
17 land use control, and fill site 6B, which is that big
18 amorphous fill area.

19 So that's what we're thinking at this point
20 as far as the universe of land use controls. You know, it
21 could expand and shrink.

22 Another thing you can get out of land use
23 controls there. If down the road we decide this sidewalk
24 was broken or something, we would know. Let's take the
25 last little bit of lead out of that, and then that land use

1 control could be taken out of our plan.

2 Not only is our plan about how to enforce
3 land use controls, but it also has a section on how to get
4 out of the land use control, so down the road, he can even
5 narrow this universe, as well.

6 Okay. And we can talk about this more. I
7 know this is just a very brief introduction, but I do want
8 to, you know, keep working on this document, so if you want
9 to talk about it in more detail at a committee meeting or
10 if you want to wait until the draft document comes out, we
11 can handle it then.

12 Okay.

13 MS. MONAGHAN: Can we get copies of those
14 slides, please?

15 MR. COOPER: Yes. In fact, here's my
16 handout.

17 MS. MONAGHAN: Great. One of the things
18 that I understand about land use controls is you have to
19 continue monitoring as far as there's use controls.

20 MR. COOPER: The remedy -- well, we'll have
21 to -- if the remedy -- for a cover remedy would require the
22 monitoring. The land use control itself, that's just the
23 administrative check-in, mapping, stuff like that. The
24 monitoring would be required as part of the required remedy
25 of a cover remedy.

1 So a land use control itself does not require
2 monitoring other than basically are you keeping your land
3 use control management plan up to date, and in fact every
4 year I have to write a letter to Jim and Bob saying: "We
5 are keeping it up-to-date. This is how we're doing it, you
6 know, and you can come and inspect our -- our program."

7 MS. MONAGHAN: And what's the timeline on
8 that? As long as --

9 MR. COOPER: In perpetuity.

10 MS. MONAGHAN: If the trust would go away,
11 who would assume that responsibility?

12 MR. COOPER: Our land use control plan talks
13 about that, as well. If the trust goes away and let's say
14 -- well, the new landowner would assume the responsibility
15 --

16 MS. MONAGHAN: Okay.

17 MR. COOPER: -- and we would go down and we
18 would notice our land use control management plan on the
19 deed.

20 Let's say God forbid the land goes private.
21 We would have to go down to the City Recorder's office and
22 put a notice on the deed so the new owner knows that's
23 incumbent -- as the new landowner, it's incumbent on them
24 to keep the land use control management plan going. Yeah.

25 Okay. Keep going. 1065, my handout does not

1 have the best -- I sort of ran overtime, but basically I
2 sent out the e-mail on the 1065 corrective action plan.

3 If you remember that e-mail, I attached a PDF
4 with the executive summary, so this is a -- meant to be a
5 brief executive summary of the executive summary, and when
6 Mark comes back, I'll obviously owe him dinner or something
7 like that. We've got this document on CD and so you can
8 take the entire corrective action plan home with you
9 tonight.

10 So briefly 1065, we haven't talked about it
11 in a while, so just to kind of get you familiar with it. I
12 know this is not the best map. Here's the -- we're located
13 -- here's the main post, and we're located right here.

14 If you take Graham Street down and hit
15 Lincoln, here's fill site 6A right here, and that jiggly
16 blue line is fill site 6B. That's the big amorphous site,
17 and 1065 corrective action plan here is this brown here.

18 So it's on -- bounded by Borgus and Thornburg
19 and, you know, Swords to Plowshares' building is right
20 here, and so kind of an older commercial use area -- not
21 commercial, but older kind of an industrial area by the
22 Army, and it got put under Jim's program because primarily
23 -- primary uses and sources of contamination
24 in -- in this area were mostly petroleum and -- thank you,
25 Mark. Let's hand out the CDs after the presentation.

1 So as you can see, these are the primary --
2 the sources of contamination in the 1065 area. It's not
3 just building 1065. Notice it's an area that covers
4 several buildings, and a pretty large little area of the
5 Presidio area there, and so this is all of the major
6 sources of contamination that are inside that area.

7 So the fuel distribution system, we talked
8 about that. It leaks a lot. ASTs are above ground storage
9 tanks. USC, underground storage tanks. You know, various
10 miscellaneous sources, and by far the primarily petroleum
11 stuff.

12 So inside the -- this particular study area,
13 the Army did some cleanup work in the past, in the 1990s,
14 and the trust did a little bit more.

15 We call these interim actions, you know.
16 Basically any type of cleanup that happens before the final
17 kind of corrective action plan, we call them interim
18 actions or previous corrective actions.

19 So that kind of gets you a rundown. So a lot
20 of the -- you know, a lot of the hot spots have already
21 been removed basically from this site. There are a few
22 left, but a lot of the hot spots, all the tanks have been
23 pulled, you know.

24 When the tanks are pulled, a lot of the
25 grossly contaminated soil was pulled out, as well. Brian

1 knows the details a lot better than I, but I just wanted to
2 at least kind of highlight that. A lot of cleanup in this
3 area has already happened.

4 Again, this is not the best, you know --
5 these maps are hard to read, but this shows -- that orange
6 area of that brownish area that I showed you before, this
7 outline shows the 1065 area, and the pink and purple areas
8 basically show where there was potential sources of
9 contamination or where there was previous corrective
10 actions.

11 So I want to focus your attention. Basically
12 this is building 1063. There was a lot of soil
13 contamination there, and the trust just last -- I'm losing
14 track of time. Last year or the year before, we did an
15 interim action at this building and dug out a lot of
16 petroleum contaminated soil.

17 But you can see other miscellaneous areas
18 where the Army may have worked, as well.

19 So also -- yeah. But basically for the
20 residual contamination, so then the trust -- we did soil
21 sampling through this entire area, based on a soil sample
22 plan approved by Jim, and we basically investigated each of
23 these pink and purple areas to see how much residual
24 contamination is left, and we basically found that -- and
25 we compared that data against our cleanup levels, and we

1 found that there was basically three areas where cleanup
2 levels were exceeded, and we called those areas remedial
3 units, but it's basically areas where the soil is still
4 contaminated.

5 Area A is here. This blue line area here,
6 this kind of squiggly looking blue line. We call this area
7 A. Area B is this -- underneath this large parking lot
8 here.

9 I wish I had an aerial photograph, but fill
10 site 6A is here. This is Girard Street, and these are the
11 Swords to Plowshares building, and behind that is the
12 parking lot.

13 And so we found low level contamination in
14 the soil underneath the parking lot, and we found basically
15 a hot spot still remaining here in area A of petroleum and
16 here we found low level petroleum with some low level
17 metals underneath the parking lot, and then our last little
18 area where there was residual cleanup levels what we call
19 remedial area C is right under the foundation of building
20 1040.

21 So that's what's left inside this particular
22 remediation site, still above cleanup levels.

23 This just gives a brief summary of what our
24 remedies are. For remedial unit A, which is located in
25 building 1063, we're recommending that we do clean closure

1 there. We excavate and do off-site disposal of the soil.

2 For areas where we're digging up against the
3 foundation where we're having trouble getting the last
4 little bit, we will inject in situ oxygen release product
5 to kind of bioremediate that last little bit, and even with
6 the clean closure remedy, we need to do some groundwater
7 monitoring.

8 So for area A, we're recommending excavation,
9 a clean closure type remedy. We think this makes the most
10 sense. It's still a significant hot spot. We've got
11 some high levels of petroleum there that we need to go
12 after. Those high levels are impacting groundwater, so
13 we've got some groundwater contamination there, as well, so
14 as we've learned as other petroleum sites, where
15 groundwater's been impacted, you got to dig out the soil,
16 as well, and that's -- that's the best and quickest way to
17 handle the situation.

18 And building 1063 is where the trust is going
19 to build their water recycling plant, as well, and so we're
20 actually going to get some financial assistance from the --
21 the people building the water recycling plant because to
22 get after that last little bit of contamination that's gone
23 basically underneath building 1063, that's a historic
24 building, and so it's not easy to dig up contamination
25 underneath, but because the concrete's going to get broken

1 to put in the water recycling plant, the folks from the
2 water recycling plant are going to try to help us take off
3 the roof and deal with the issues of the building so we can
4 get in there and effectively go off the soil contamination,
5 and so this clean closure area remedy for RU-A is \$526,000.

6 The corrective action plan talks about
7 including capping and so on, but capping is generally not a
8 good idea where there's such a significant groundwater
9 impact.

10 Okay. For RU-B, that was the one underneath
11 the parking lot behind Swords to Plowshares. Sorry for the
12 font, and I know the font in your handout's not great, but
13 basically this is a pretty large area underneath that
14 parking lot.

15 We found relatively low levels over kind of
16 an extensive area. No hot spot. We'll find a little
17 petroleum here, a little metal exceedence here. No kind of
18 smoking gun where we said ah-ha, here's a spill. Here's
19 high levels that are threatening groundwater quality.

20 Our interpretation of the data was we have
21 this low level stuff kind of scattered, basically this fill
22 material scattered around.

23 There could have been some old releases that
24 have now kind of, you know, gone down to such low levels,
25 but we think that the levels are so low that groundwater

1 does not appear to be impacted at this particular remedial
2 unit, so it -- when you compare the costs of just, you
3 know, fixing up the parking lot and doing a little bit of
4 monitoring there compared to a clean closure remedy, the
5 cover remedy made the most sense for us, for this
6 particular area.

7 I know that you guys are going to have a lot
8 of questions about this one, so this is to give you, you
9 know, a heads up that we are recommending a -- a cover
10 remedy for this particular site.

11 Let's talk about -- I know -- let's talk
12 about that more in detail. You can ask me questions about
13 pros and cons of going for -- the clean closure, from my
14 memory, was about 1.5 million. I don't remember off the
15 top of my head. A significant jump from this one.

16 MR. YOUNGKIN: Is this part of 6B?

17 MR. COOPER: It's also -- this is the tricky
18 part. You can tell from my first map, the 1065 area is 6B
19 and 1065 are collocated, so we -- we struggled with -- 6B
20 obviously is going to have to have a remedy for this
21 portion, for this area, as well.

22 We'll at least acknowledge this remedy in the
23 1065 cap or kind of -- we haven't really talked of the
24 details with Bob.

25 Fill site 6B is under the CERCLA program and

1 1065 is under the petroleum program, and we haven't even
2 thought through our remedy for fill site 6B yet -- yes.

3 So to answer your question Mark, yes, fill
4 site 6B is including this parking lot.

5 MS. BLUM: I just don't remember which
6 parking lot we dug up last year.

7 Is this the same parking lot or a different
8 parking lot? We dug up near 6A, near the nurse's -- near
9 the dormitories.

10 MR. ULLENSVANG: The one that was dug up was
11 --

12 MS. BLUM: Behind 1065 I thought.

13 MR. COOPER: Yes.

14 MR. ULLENSVANG: It was where building 1065
15 was located. This is the larger lots to the east.

16 MS. BLUM: Which way is west?

17 MR. ULLENSVANG: Towards the archaeological
18 site.

19 MR. PONTON: Towards the bridge.

20 MR. COOPER: That dig that we did last year,
21 we need to do more digging. That stuff that we did you go
22 up on 1065 has now -- it's gone under 1063, as well.

23 MS. BLUM: Can we put that on a rush because
24 of Lucas?

25 MR. COOPER: Yes. You're right. It was

1 done on a hurry up schedule. It was done because we
2 thought that the water recycling plant was going to happen
3 quick, so we got Jim's permission to do that first phase of
4 that cleanup as an interim action, and we did that as a
5 clean closure.

6 Then we found out the water recycling plant
7 isn't going to move quick quick. We decided not to do
8 phase II of the interim action and we folded it into the
9 corrective action plan. So that's the story on that.

10 FACILITATOR KERN: I'm sure I can find this
11 out from reading, but about a half a million dollars,
12 what's that money going for? Do you happen to know?

13 MR. COOPER: Yeah. That's what we can
14 really kind of analyze more, too. We take a look at the
15 asphalt parking lot and look forward to improvements. Make
16 sure the asphalt's in good shape.

17 If there's, you know, breaks in the asphalt,
18 it will have to be capped, as well. We'll have to fix the
19 parking lot, and any type of landscaped areas, if we felt
20 they were extensive or posed a risk, they would have to --
21 there would be some remedy for that, the medians.

22 So I think the way that we're -- the way
23 we're proposing a cover remedy is very conservative, and if
24 you guys want to comment on -- on that, I think it would be
25 interesting to look at.

1 I think we took a very aggressive approach on
2 how to do a cover remedy on this particular remedial unit,
3 so -- for completeness, I guess. That's where we landed.

4 FACILITATOR KERN: Hopefully the discussion
5 we had was the commissary, and since it's under a parking
6 lot, we didn't think it was worthwhile to dig up the
7 parking lot and put the paving back.

8 MR. COOPER: Right.

9 FACILITATOR KERN: And that hopefully you
10 could get some savings with a location like this, as well.

11 MR. COOPER: Right.

12 FACILITATOR KERN: We'll look at it.

13 MR. COOPER: That's our logic. Let's take a
14 look -- there's a cost -- a detailed cost estimate for this
15 remedy, and let's look at it line item by line item.

16 Sorry for the font.

17 RU-C with that little tiny one, token
18 reminder. RAA, LUB with the parking lot over here, a RU-C,
19 a little bit of residual contamination underneath building
20 1040, and basically we believe it's right underneath the
21 foundation.

22 It's a very small volume. It would be very
23 easy to dig up if we could get access to it. We feel that
24 we just really can't get good access for this particular
25 set of contamination, and it does not appear to be

1 contacting groundwater, so basically this would be a cap,
2 as well.

3 The pavement in that area is in good shape.

4 MR. ULLENSVANG: It's up to the Army to
5 remove that tank.

6 MR. COOPER: Right. This is just a little
7 bit of residual contamination associated with the
8 underground storage tank vault.

9 So that's our recommended remedy, and it's
10 \$89,000, so that is -- so for next steps, we'll hand out
11 the CD version of the corrective action plan.

12 Just like we've done on other corrective
13 action plans, we want to give the RAP an opportunity to
14 comment on this document. I have to talk to Jim about how
15 much for this, but probably similar to, you know, thirty to
16 45 days or something like that.

17 Do you want to kind of tentatively agree
18 on -- on that?

19 FACILITATOR KERN: If that's --

20 MR. COOPER: Where we were at the end of
21 August.

22 MR. ULLENSVANG: You might want to point out
23 there's something coming out this week, so there will be
24 two out there to review. You may want to stagger how
25 they're used or give both more time or something.

1 MR. COOPER: Yeah. Definitely, yeah, the
2 one that comes out next week we'll present at the next
3 Restoration Advisory Board meeting, and I'll definitely --
4 I know that one is the 207/231 area, which is I know a very
5 important one, so we'll make sure that that one
6 won't -- the comment period on that one will not end at the
7 end of August. We'll definitely tack on to the end of
8 August.

9 So let's tentatively shoot for the end of
10 August on this one, and then when we present 207/231, we
11 can set up the comment period for that one, as well.

12 So then, I can get any comments on this
13 particular cap. The trust edits this and sends a final
14 version to Jim for his management -- management chain to
15 sign off on, and our current deadline to start construction
16 and -- is in the middle of next year.

17 So --

18 MS. BLUM: Craig, do you have any indication
19 where the expansion of Crissy Marsh is going to go? Since
20 we're all in that really, really hot area right now.

21 MR. COOPER: Yes. I have.

22 MS. BLUM: Anything you can reveal to us?

23 MR. COOPER: I don't want to misstep, but my

24 --

25 MS. BLUM: The only reason I ask is it's so

1 key to this whole area.

2 MR. COOPER: I think I can say a focus area
3 that they are seriously considering is the 207/231 area in
4 general, that kind of --

5 MS. BLUM: Halleck and Borgus.

6 MR. COOPER: Right. That does not include
7 1065 area, but it does go to 207/231, right.

8 MS. BLUM: So we'd probably like to know
9 what the parameters are, I mean, how far -- what is it?
10 What does it look like.

11 MR. ULLENSVANG: One thing to look at, when
12 you're going through the cap and see, the Regional Board's
13 order specifies the freshwater protection. It's designed
14 to generally protect the area of Tennessee Hollow and goes
15 down into the transition zone between Tennessee Hollow and
16 the marsh, and take the maps for 1065, you'll see that that
17 area does go into 1065 site area and that where some of the
18 cleanup levels where appropriate considered those.

19 So the discussion of what the cleanup levels are
20 for 1065, it's more complicated. It does consider it and
21 roughly halfway across that parking lot he was just talking
22 about.

23 MR. COOPER: Correct.

24 FACILITATOR KERN: That's what occurred to
25 me is perhaps in that area where you want to do the land

1 use controls that maybe we would have a comment perhaps on
2 the western end of the parking lot that we consider
3 something.

4 MR. ULLENSVANG: That would be a comment
5 that you could make.

6 MR. COOPER: That we don't forget that that
7 area's been designated as a freshwater protection.

8 MR. ULLENSVANG: So 1065 tried to consider
9 those sorts of issues when it went through and the
10 discussion of the comparison of findings versus the cleanup
11 levels looked at that issue. So you'll have to see whether
12 it looked at it adequately or not.

13 MR. COOPER: Exactly.

14 MR. ULLENSVANG: But at least there was an
15 attempt to consider that.

16 MR. COOPER: Right. The same being true for
17 207/231 corrective action plan, we looked at the freshwater
18 protection zone, the saltwater protection zone and kind of
19 our inside read where marsh expansion may or may not be
20 going.

21 MR. ULLENSVANG: And 207/231, the entire
22 site area, because almost the whole area was -- in that
23 area was likely to be considered for the marsh expansion.
24 The entire site looked at for both freshwater and saltwater
25 protection zone cleanup level. So it maintains that

1 flexibility.

2 MS. BLUM: I'm sure that Doug has given the
3 RAP very good leadership, but I think that when you maybe
4 learn that to do it right the first time is probably the
5 most important thing that we can do for any kind -- err on
6 the side of caution is I guess what I always want to say,
7 especially where we're dealing with the expansion of the
8 marsh and the Tennessee Hollow freshwater source and just
9 as a real dream the idea of tapping to be near those
10 critical areas is something that I would be very slow to
11 accept.

12 MR. COOPER: Right.

13 MS. BLUM: So I know that we'll get good
14 guidance on it, but that would be my concern is that we're
15 doing parts of this again twice, that we don't want to have
16 additional difficulties with this area.

17 MR. COOPER: Right.

18 MR. ULLENSVANG: I think that there are RAB
19 members that want to talk about it at the committee
20 meeting, but Craig and I would be happy to go through it in
21 detail and help you. It's a big document. To help you
22 find the important parts so you can read it to yourself.

23 MR. COOPER: Yeah.

24 FACILITATOR KERN: Well, I want to say that
25 this site is important. I did try to set time on the

1 agenda. I did intentionally allow Craig to go over on the
2 agenda due to the importance of the site, but it -- I
3 accept responsibility for allowing that and I'll have to
4 beat up Craig after the meeting for going over his time,
5 but it's a -- it's an important subject and he's obviously
6 enthusiastic about giving us all that information. So
7 there's probably quite a bit more to talk about.

8 Let's take ten minutes and then I'll ask that
9 we return and then we have some things to talk about on the
10 cost tracking.

11 MR. SUTTER: Yeah. I suggest we skip the
12 break if that would be acceptable to the group and the
13 stenographer because we are running over.

14 FACILITATOR KERN: Is that all right with
15 everyone? Very good. We'll move right along.

16 So for everyone, let's just take two minutes
17 to catch everyone up on this subject.

18 We've been engaged in lot of discussion,
19 analysis, review of the cost tracking program. I think
20 everyone is aware of the reasons why we think that's
21 important.

22 I've received considerable strong advice from
23 RAB members, from a variety of different directions and
24 perspectives. Everyone seems to value what we've been
25 doing, the direction that we've been going.

1 As of our last committee meeting, which was
2 in closed session, there were some very strong words and
3 direction about where we should go.

4 After that meeting -- I've had an opportunity
5 to talk to Craig, so I know we're going to do this. We
6 turned off the lights and we ended up talking after that
7 meeting for a couple of hours, and we had a good discussion
8 regarding the cost tracking.

9 Without characterizing too much or speaking
10 for Craig, I would say that there's a recognition of some
11 of the deficiencies of the current status of the cost
12 tracking, but a willingness to work with us to refine it.

13 And so what I wanted to do was step back just
14 a moment and at least recognize where we are, how far we've
15 come and that we do have some data that we can work with
16 and that we are working.

17 Particularly we have a number that shows
18 we're way over budget, and that's something that I
19 mentioned to Craig at the time. He's talked to Craig
20 Middleton and Jeff Dies about that situation, so they're
21 aware of it, but they have no -- they have not huddled per
22 se and come up with some action.

23 There are a number of strategies that come
24 available to us to make recommendations about. If we're
25 over the budget, one of the items, for example, that Craig

1 is considering is cutting back on the unallowable costs or
2 having the trust take over out of the general fund paying
3 for those unallowable costs.

4 So that if we do reach a hundred million
5 dollars of expenditures of allowable expenditures, that
6 suddenly the program just doesn't stop, that there is a
7 response by the trust to come up with the funds that
8 they've spent on the unallowable costs to bridge the gap so
9 that we might proceed and then engage the insurance company
10 in receiving those moneys, and that directly ties back into
11 the other area that we've been pursuing, the insurance
12 policy and under what conditions a claim is made and
13 accepted and paid out and all of the things -- issues
14 around that.

15 And so it's my feeling that Craig and Craig
16 and Jeff now are understanding those issues and that
17 they're of great concern to us and that we want to have
18 discussions about those issues and begin to work together
19 in a constructive way to look at strategies.

20 And so our primary fears and concerns are
21 that sites will be cleaned up and then we'll run out of
22 money and then there won't be any additional money to do
23 the remaining sites.

24 Craig recognizes that, and there -- it seems
25 that what we're getting into now is a recognition that that

1 cannot be the end, that there would be a strategy to, you
2 know, proceed, and so I think that's a very constructive
3 situation.

4 And so my recommendation -- and I want to
5 have discussion and your thoughts about this, but is that
6 we write a letter, perhaps to Craig Middleton that
7 expresses our concerns about such things as the -- perhaps
8 the growth in the budget and what the implications for that
9 are and our concerns about what would happen and how
10 additional money might be acquired, the insurance policy's
11 enacted or pursued, but that we're reassured that the
12 program will proceed, that remedies won't necessarily be
13 reduced on the basis that we've simply just had costs
14 growth and we've run out of money.

15 That doesn't seem to be the right way to go I
16 think for any of us.

17 Dave.

18 MR. SUTTER: Yeah. I think it's not going
19 to be acceptable ultimately to the public, to the trust,
20 probably to anybody to have a situation in which preferred
21 remedies are not accomplished because of budget constraints
22 or to have a situation in which there's no certainty that
23 there will be -- as the program progresses, that there will
24 be sufficient funds to cover the basic cleanup
25 requirements, the sites that have been identified,

1 regardless of what level they're cleaned up to.

2 Those are two scenarios that I don't think
3 anybody is going to find acceptable.

4 However, it's incumbent upon the trust at
5 this point to figure out how to achieve the ends that
6 everybody is looking for and how to fund projected overruns
7 in a hundred million dollar budget. That's the task at
8 hand.

9 FACILITATOR KERN: Right.

10 MR. SUTTER: And there may be a variety of
11 avenues that the trust can pursue. If it makes money, like
12 now it's supposedly in the black and it can project that
13 it's going to be -- by 2013 to have a hundred percent more
14 revenue than it had projected previously, then it's going
15 to be a pot of gold that it can tap into.

16 If that's not the case, then it's going to
17 have to go back to Congress, to the feds to get more money,
18 but I don't think this is a unique situation that the
19 Presidio Trust, a former Army camp becoming a national
20 park, I don't think that the people who created this unique
21 concept at the federal, state, local level will accept
22 anything less than the most environmentally attractive
23 remedies to -- to the situation.

24 FACILITATOR KERN: I appreciate those
25 comments, Dave. I think they -- you're right, and it seems

1 to me that what we have now is we have some projections a
2 year ago and there's been a lot of work that I want to give
3 Craig and Alan credit for doing and credit to us for
4 nudging.

5 Perhaps now we have a little bit more of
6 a -- an estimate that is perhaps a clearer picture. I
7 think we can refine that and get even a more clear picture,
8 but yes, I think we're all in this to see --

9 MR. SUTTER: Together.

10 FACILITATOR KERN: -- that we get the best
11 remedies.

12 MR. SUTTER: I have one other question for
13 Craig.

14 The May 24th estimates, Craig, both at the
15 project level and going up to the program wide level and
16 the projected overruns for the program, what is the
17 accuracy of -- of those projections, those estimates? Like
18 plus or minus five percent? Plus or minus ten percent?
19 Plus or minus twenty percent?

20 When you do that kind of estimating, do you
21 work to an accuracy level?

22 MR. COOPER: Right. Well, the -- as far as
23 our projections, you know, the accuracy that we've been
24 using are basically -- they -- as the project gets closer
25 to remediation, I think the accuracy gets better.

1 Like at the F/S level, you know, feasibility
2 study level, the accuracy could be, you know, plus or minus
3 25, fifty percent, and then -- but what we're
4 trying -- you know, it could be as high as that.

5 What we could do is to see how well our --
6 how accurate we've been in the past is take a look at what
7 RAPs have said and then look at actual costs.

8 That's really the best guide to putting a
9 percentage. If you're looking for whether we're guessing
10 high or guessing low is really I think your question. That
11 would be the best way to take a look at that, and I have
12 not done that. I don't think Brian has.

13 As soon as I get over the hump on the next
14 corrective action plan, I'm going to have some time freed
15 up with Alan for you guys to start working on that question
16 again. I don't want you to think I've dropped it.

17 MR. SUTTER: I think that's critical.

18 MR. COOPER: Absolutely.

19 MR. SUTTER: The overall projected costs,
20 including projected overrun.

21 MR. COOPER: Right.

22 MR. SUTTER: What level of accuracy are we
23 looking at overall here?

24 MR. COOPER: I want everyone to know this,
25 those are just projections. Are we projecting high or are

1 we projecting low is really the question.

2 If we're projecting low, we have even more to
3 worry about because that means the cost overrun is even
4 more than we think. If we're projecting high, then maybe
5 it's not as bad as we think it is.

6 MR. SUTTER: Some of the cost elements that
7 feed into the total projected program cost may be a five
8 percent accuracy level. Some may be a 25 percent accuracy
9 level, but you need to weight it -- look at that together,
10 weight it and come than with an overall average --

11 MR. COOPER: Right.

12 MR. SUTTER: -- accuracy level for the total
13 estimate.

14 MR. COOPER: Yeah.

15 MR. SUTTER: So that when you begin to -- to
16 with Craig and Jeff Dies and whoever else to figure out
17 what are we looking at as far as totally funding the
18 program --

19 MR. COOPER: Yeah.

20 MR. SUTTER: -- that you have some
21 confidence what it's going to be like.

22 MR. COOPER: Exactly.

23 MR. SUTTER: We need an additional twenty
24 million. That's going to cover it. A year from now we
25 need forty million.

1 MR. COOPER: That's my biggest concern.
2 We'll look at how we did at RAP 1, fill site 4, fill site
3 5, that's been our track rate, basically. Have we been
4 guessing high or low.

5 MR. SUTTER: But at this point some of the
6 costs are going to be like plus or minus 25 percent because
7 you haven't gotten beyond -- you haven't gotten through
8 final design yet.

9 MR. COOPER: Exactly.

10 MR. SUTTER: So you're going to have to take
11 the whole thing, take the 25 percent kind of estimates and
12 -- and averaging them against your five percent estimates,
13 come up with some kind of an average that's workable, you
14 know.

15 FACILITATOR KERN: Julian.

16 MR. HULTGREN: I don't see how you can do
17 anything like that, giving a percentage of the plus or
18 minus.

19 MR. COOPER: Yeah.

20 MR. HULTGREN: And if you do, I don't see
21 how it's going to be any good at all because it's only
22 another guess based upon your first guess.

23 What you're doing, your prospective costs are
24 your best estimate, and how can you say well, I want to
25 estimate a hundred thousand dollars as my very best

1 estimate --

2 MR. COOPER: Right.

3 MR. HULTGREN: -- but gee, you know, if you
4 want another estimate, I'll give you \$110,000 or \$90,000.

5 MR. COOPER: I don't think he wanted to
6 change our estimate at completion. Just try to get a
7 better confidence on our projections.

8 MR. HULTGREN: You can only do it as I see
9 it by your past experience.

10 MR. COOPER: Yeah.

11 MR. HULTGREN: And if you look at your past
12 experience, then you have some idea of -- and even that's
13 not very good because you've had different contractors.
14 You've had different engineers. You've had different
15 experts. You've had different project managers.

16 MR. COOPER: Different site specific
17 conditions that cropped up and caused change orders,
18 mm-hmm.

19 MR. HULTGREN: But that's probably more
20 relevant than some sort of a wild guess based upon an
21 educated guess.

22 So I don't see where it's going to mean
23 anything one way or the other. I want you to make a good
24 prediction, your very best estimate --

25 MR. COOPER: Right.

1 MR. HULTGREN: -- of what it's going to
2 cost, and that should factor in uncertainties as much as
3 you can.

4 MR. COOPER: That's why we have, for
5 example, a twenty percent contingency. That's our
6 uncertainty built into our future cost projections.

7 MR. SUTTER: I don't think you're
8 understanding what I'm saying, Julian.

9 MR. COOPER: I get the general picture, and
10 that one I handed out last quarter and what I handed out
11 every quarter, that's our best guess, Julian. I know it
12 can be improved.

13 You have questions about my best guess, but
14 we have gone through this the best of our abilities and now
15 we need some input from you to see what we missed and what
16 we're not thinking right, but what I passed out
17 last -- whatever it was, two months ago, that is my best
18 guess right now.

19 FACILITATOR KERN: I think there are some
20 places -- and Craig and I have talked about some of those
21 areas -- that might be vulnerable to the guessing. The per
22 unit costs might be different than the sites that have been
23 estimated by different contractors.

24 MR. COOPER: Yeah.

25 FACILITATOR KERN: So if we can make

1 estimates consistent, that will increase the confidence in
2 the estimate.

3 MR. HULTGREN: Could -- could your
4 prediction, or whatever you want to call it, could that be
5 a spread based upon what -- what these factors are?

6 If you have certain, uncertain factor about
7 costs of materials, that would be the high end, or if the
8 costs of materials are as low as you expect them to be,
9 that would be the low end.

10 Is a spread a possibility or is that what
11 you're talking about?

12 FACILITATOR KERN: I think there is a way to
13 address what you're getting at. I would call it
14 sensitivity analysis, which means you begin to pick certain
15 things and you test them with different costs and you see
16 the swing in the whole program.

17 If I move this kind -- if I move this
18 thing -- this line item a little bit, does it matter? If I
19 move it a lot, even a whole bunch -- if I triple this one
20 item and it has no effect on the overall product, I leave
21 it alone, but small changes that produce big overall
22 changes, that's what we want to figure out.

23 MR. HULTGREN: But wouldn't another way of
24 looking at this issue be that you would have to take each
25 project and then have a plus or minus five percent or plus

1 or minus ten or twenty depending upon how uncertain the
2 elements of the project are?

3 FACILITATOR KERN: My read --

4 MR. HULTGREN: I don't know where you can
5 get a plus or minus five or ten or twenty for the rest of
6 what you're going to be doing. That's just guesswork, as
7 far as I can see.

8 FACILITATOR KERN: My read on some of the
9 sites that are viewed as difficult on cliff sites and
10 there's some attempt in the estimating to add additional
11 cost based on difficulty of the project.

12 So I think some of these things, they are
13 being conservative, but there are certain vulnerabilities
14 that different contractors have done estimating.

15 I think if we can, you know, get those
16 inconsistencies ironed out and then do this sensitivity
17 analysis and look at -- we may be able to group certain
18 projects by uncertainty. These are the projects that could
19 have wild swings; these are the ones where we're confident,
20 and we can do that, as well.

21 MS. CLEEK: I have a question. Assuming
22 that you can get this information that, say, the cleanup of
23 building 1065 could go twenty percent one way or the other,
24 then what's the next step? What are we using that
25 information for? And, you know, how are we going to use

1 it?

2 FACILITATOR KERN: I think that -- the big
3 picture question is the thing that we always have to keep
4 in mind. What do we care about all this detail and sifting
5 it down?

6 And it comes down to the -- once we get to a
7 hundred million, then some day the trust is going to have
8 to fund these unallowable costs, what they're spending on
9 administration it's budgeted at twelve million dollars.
10 Maybe it could be 9 or 10 depending if they cut back.

11 So they'll have to begin to find other ways
12 to fund that, and then beyond that, we'll -- the insurance
13 company is going to become more and more interested when
14 the projections are 120, 140, 150, then they may be on the
15 hook.

16 So it's -- just in my view what we're going
17 to do it for is to strategize how we're going to get the
18 money and helping the trust make sure that they can fund
19 all these activities.

20 MR. YOUNGKIN: Or analyze the existing
21 strategy and see if it's actually going to work. The
22 existing strategy was that the insurance policy would cover
23 the cost overruns. So just to see if it's actually going
24 to be viable or not.

25 I think the -- they bought that insurance

1 policy in the first place understanding that probably the
2 Army was getting a good deal, and why spend seven million
3 dollars right off the bat if you aren't worried about
4 something.

5 So I think there was an understanding that
6 the trust would have to come up with some money eventually,
7 but that it would be capped at a certain point and then the
8 insurance would take care of all the rest.

9 So it would be nice to kind of know that
10 that's actually feasible and can happen, or do you need to
11 go find another funding source? Go back to the Pentagon,
12 go back to Congress, whatever.

13 FACILITATOR KERN: Jan.

14 MS. BLUM: I'm sure her comments's more
15 pertinent.

16 FACILITATOR KERN: Jan one.

17 MS. MONAGHAN: I'm not sitting next to you
18 anymore.

19 At the risk of sounding like a Republican, I
20 also think a hundred million dollars of public money is
21 something that needs to be professionally managed and
22 accounted for. They have to have some accountability for
23 spending that money.

24 That's the one that I'm interested in, that
25 there's remediation projects going on all over the country,

1 all different contractors and things and there's a body of
2 knowledge out there that is usable to predict what your
3 costs are going to be, and history and professional
4 experience, and the consultants that are being used here,
5 they all have to be accountable for doing the best job on
6 the project.

7 MS. CLEEK: I don't disagree with that. How
8 are we going to use it going forward once that information
9 comes about? Are we going to use it to help tell them
10 better find another form of financing now?

11 I'm not saying it's not valuable, although I
12 kind of agree with Julian that I'm not sure you can really
13 get a meaningful number at this point, and also the cost of
14 doing that, I don't know -- I think -- you know, I'm not
15 sure I -- I'm not sure I fully see that it's going to work
16 to get it, but that's besides the point.

17 How are we going to use this? What lever is
18 this information going to be and, you know, what -- what
19 purpose will it serve? That's what I want to know.

20 FACILITATOR KERN: Jerry.

21 MR. ANDERSON: Well, if you're going to use
22 the record up to now to make an estimate of any bias in the
23 forecasts, we want to know what that answer is. There's
24 been a large escalation in the forecasts over a short
25 period of time.

1 FACILITATOR KERN: It's interesting. Some
2 sites have gone from no budget to five million dollars and
3 other sites have gone from 6 or 7 million to a hundred
4 thousand. So there have been wide swings.

5 MR. ANDERSON: Sure, but overall the
6 estimates that have been really low, it's not necessarily
7 anything to do with the performance. They've found new
8 sites. They've found new problems at other sites.

9 FACILITATOR KERN: It could be a normal --
10 yeah.

11 MR. YOUNGKIN: The original EKI estimates
12 were really rough, back of the envelope kind of things in a
13 lot of cases. So we expect those to be pretty -- pretty
14 bad.

15 FACILITATOR KERN: Julie has -- and actually
16 Jan, you were first and then I'll go to Julie.

17 MS. BLUM: It's another one of those
18 philosophical questions, but there's so many base cleanups
19 going on all over the country now. I'm wondering if there
20 is a base of knowledge or if anybody is working on any kind
21 of template.

22 Maybe ours is the template that drives our
23 standard for tracking cleanups at some point in the future.

24 Is there some basic knowledge that we can
25 actually use -- I hate to say Hunters Point, because I

1 don't know that it's done very well yet, but some of the
2 other base cleanups that have had the experience, turning
3 it into housing, Southern California, that kind of thing
4 and say are we the only RAB that's trying to manage money?
5 Does the Army manage all the money? Who manages the money
6 on the other cleanups?

7 MS. CLEEK: I thought that this is what made
8 this project unique. We started with a budget rather than
9 each time having to take the particular cleanup project
10 back to the Army or whatever and negotiate for a budget,
11 which is, you know, sort of different way of doing things.

12 MR. COOPER: Jan, to answer your question,
13 most federal facilities are not using this model that we're
14 using at the Presidio. Most of them are the mil -- the
15 military kind of stays on the hook for the whole cleanup
16 and they get appropriations from Washington, D.C., you
17 know, on an annual basis.

18 So that's -- there's some exceptions to the
19 rule, Presidio, Mare Island, there's a few exceptions, but
20 that's the usual case.

21 MS. BLUM: Mm-hmm.

22 MR. COOPER: It stays with the military
23 for -- to finish it off.

24 MR. YOUNGKIN: And they experience huge
25 overruns.

1 MR. COOPER: Oh, yeah. Now are they
2 advertising that? Is that real public, you know. I'm not
3 on a RAB, but I don't expect it is, because the public
4 generally doesn't care, you know. You know what I mean?
5 Just well, they'll just go to Washington to get more money.

6 MR. ULLENSVANG: The DOD -- the experience
7 here before the trust took over, the DOD was not
8 forthcoming with their expenditures. There was lots of
9 struggle to even get them to give ballpark estimates to
10 what things cost in retrospect.

11 FACILITATOR KERN: We never even saw a
12 single invoice or anything like a real number, never.
13 Julie and then Julian.

14 MS. CHEEVER: Well, I have two unrelated
15 comments. The first thing as much as we would like to
16 think that people in our country care about pristine
17 national parks, I really don't see Congress giving more
18 money for an environmental project in the San Francisco Bay
19 Area in the current atmosphere with all the strains on the
20 federal budget.

21 So I'm just saying that because I don't think
22 we should be counting on that as much as it would be nice
23 to be counting on that.

24 But I'm just wondering what the variability
25 of one project to another. How big a factor is the amount

1 of contamination that's found when something is being
2 excavated?

3 It seems to me that's been a big variation,
4 something you can't predict, but maybe that whole factor
5 isn't so big compared with the cost of designing it, et
6 cetera.

7 MR. COOPER: Right. It is a factor. We try
8 our best to predict it in advance. You know, sometimes
9 we've been good. Sometimes we've missed it, you know, a
10 little bit.

11 But that is definitely a factor that protects
12 total costs. What are the factors that are variable and
13 how do we get -- have better confidence
14 about -- identify the most sensitive factors and then how
15 do we get better confidence about -- that we're using the
16 best unit rates for projecting those costs, and -- yeah,
17 and volume of the site is definitely going to be one of
18 those factors. Toxicity of the site is another factor for
19 clean closure remedies.

20 FACILITATOR KERN: Julian.

21 MR. HULTGREN: This is a question really for
22 Dave and Jan because I don't have any idea on this. I
23 don't know much about it, but the question that I want to
24 raise is this: Is the cost reporting information that we
25 have gotten most recently satisfactory for our guidance and

1 our purposes or not?

2 MR. SUTTER: No.

3 MR. HULTGREN: What?

4 MS. MONAGHAN: No.

5 MR. HULTGREN: If it's not, we should be
6 talking about that. We should tell Craig, you know, not
7 just that we want a five -- a plus or minus over or under
8 figure, but we want something in addition or something
9 different in the cost reporting than we're getting.

10 I don't have any idea what that would be,
11 because I don't know about that, but if we do have a
12 problem with what we're getting, I don't know that we're in
13 a position tonight to lay it out.

14 I think we as a body ought to discuss it and
15 come up with those things that we want when we get a cost
16 report. And then convey it to -- to Craig and see if he's
17 able to give us that sort of stuff.

18 FACILITATOR KERN: Yes. I agree, Julian,
19 and that I think should be incorporated into a letter a
20 little bit different than the direction we were going, but
21 something that itemizes the refinements that we would like
22 to see and then work with Craig to see that those are
23 carried out.

24 MR. HULTGREN: Could we discuss that in
25 executive session?

1 FACILITATOR KERN: Absolutely. I would
2 suggest our next committee meeting we continue that
3 process.

4 That's what I would do on the financial cost
5 tracking. I think our process is working quite well and
6 that we're getting somewhere with this, and we'll keep
7 working on it and we'll produce the, you know, targeted
8 response that we need in these next few weeks.

9 MR. SUTTER: So are you suggesting, Doug,
10 that at the next committee meeting in executive session we
11 consider a letter to Craig Middleton about the overall
12 budget issue and the funding overruns and how that's done
13 as well as dealing with the outstanding issues with the --
14 the cost tracking reporting?

15 FACILITATOR KERN: Yeah. I mean, perhaps
16 the outstanding issues might be an appendix or something
17 attached, but --

18 MR. HULTGREN: We better get our cost
19 reporting facts down before we go to Craig Middleton and
20 say, "You don't have enough money."

21 Because if we don't get the facts down first
22 that we want in a cost reporting, we have no basis to -- to
23 even discuss it with him.

24 FACILITATOR KERN: Right.

25 MR. HULTGREN: So one step at a time.

1 FACILITATOR KERN: Yes. Agreed.

2 MR. SUTTER: We can do both at the same
3 time.

4 MR. YOUNGKIN: We can do both at the same
5 time.

6 MR. HULTGREN: How can you do it if you
7 don't have the figures in an adequate cost report?

8 MR. YOUNGKIN: It takes you two years to get
9 a detailed cost report.

10 MR. HULTGREN: You've got to have something
11 that you can rely on.

12 MR. YOUNGKIN: There's a lot of uncertainty
13 in the big numbers, anyway.

14 FACILITATOR KERN: What I recognize around
15 what Julian is saying is that a year ago we had an estimate
16 that turned out that we had about a hundred million to
17 spend. We had about a hundred million in costs.

18 This year, it's a little different, and so we
19 still need to refine that, but now the picture is a little
20 bit in more focus, so we have more confidence that we can
21 say we're going to have -- we've got clear growth that we
22 need to respond to, and the refinements will tell us how
23 much, but I'm confident that we have growth that's over the
24 hundred million. I -- I'm pretty confident about it from
25 my analysis.

1 Jerry.

2 MR. ANDERSON: Well, I don't think the
3 problem -- or the approaches that we have an audited
4 problem that we want attended to. We're not getting as
5 much information that we feel we need, but the information
6 that we do have shows there's a potential for a problem and
7 somebody ought to be paying attention to it.

8 FACILITATOR KERN: Exactly.

9 MS. BLUM: Right.

10 FACILITATOR KERN: And I think everybody
11 agrees, and Craig is going to help us with getting us the
12 details that we all need. I feel good about that.

13 MS. BLUM: I just want to say I think that's
14 a positive thing, that we are trying to be proactive --

15 MR. ANDERSON: True.

16 MS. BLUM: -- before we get to the end and
17 say, "Whoops." That we have now the opportunity to say
18 this is potentially what the problem -- the size of the
19 problem is and these are some things that we might want to
20 think about doing and what else can we come up with that
21 will change the outcomes on the project.

22 So I think it's a very good thing. I think
23 it's a good model.

24 FACILITATOR KERN: Julian.

25 MR. HULTGREN: I get the impression that

1 both of these issues would be -- would be taken up with
2 Craig Middleton, and I don't know that that's appropriate.
3 It seems to me the issue about what we want about cost
4 reporting is taken up with Craig right here.

5 FACILITATOR KERN: I think the only reason
6 to tell Craig --

7 MR. HULTGREN: Which Craig?

8 FACILITATOR KERN: Craig Middleton is so
9 that he's aware that we're aware and that the details
10 clearly will work out with Craig Cooper.

11 Yes. Any other thoughts on this subject?

12 And we'll pursue it again in a couple weeks
13 and I'll -- I'll be working with Jan and Dave to itemize
14 some of the details on both of these issues.

15 MR. COOPER: From the 2004 cost estimate
16 versus 2005, I don't want people to think that that growth
17 happened in one year.

18 It was more of getting better cost estimates,
19 you know, in that process. You know, we did a lot of work
20 from that -- what we released in 2004 so what I just
21 released two months ago, so it was more of refining,
22 looking a lot harder at each project budget and that's what
23 -- scope growth and getting a better handle on scope growth
24 and just refining our cost estimates better. I
25 just don't want you to think that it jumped twenty million

1 dollars -- that we had twenty million dollars worth of
2 growth in one year.

3 Secondly, we got some feedback on -- as far
4 as the structure of the report itself from -- about a month
5 or so ago, and I'm going to be distributing those every
6 quarter.

7 I said we're going to do it and we're going
8 to do it. We just finished a quarter, so my next before
9 the end of July is to hand out another quarterly report,
10 and we got some feedback on, you know, some questions from
11 you all on that.

12 So I plan on, you know -- I knew that the
13 first quarter report was not going to be perfect, so it was
14 going to be an evolving, you know, process as far as, you
15 know, filling in some gaps and some zeros and things like
16 that, but I want to make the quarterly report better and
17 better each time.

18 So -- but I do feel that the cost estimates
19 in this quarterly report are a lot better than 2000.

20 And one last point. You're probably worried
21 that I'm going to start compromising remedies, like oh, my
22 gosh, we're running out of money. We're going to start
23 finding cheaper remedies. That's not where I'm going to
24 come from at all.

25 When I look at the merits of a project and

1 try to come up with what I think -- we have our remedial
2 action objectives. I look at that. I look at what the
3 law's required and I really try to come up -- we in the
4 trust are trying to come up with what we think are the best
5 projects for the park and responsible use of public funds,
6 and if I come up with a capping remedy, it's not because
7 somebody's telling me "save money, cap it."

8 It's because I think that is the best use of
9 public money for that particular site and the park.

10 I know that you guys may not agree with me on
11 that, but that's where I'm coming from as somebody who's
12 been doing this for a long time. And so I just want you to
13 know that.

14 FACILITATOR KERN: Dave, and then we'll --

15 MR. SUTTER: Craig, I think what would be
16 very helpful is if in the near-term, in the next month or
17 so, you could make a presentation to the RAB -- perhaps at
18 a committee meeting -- of exactly how you're currently
19 doing your cost estimates step by step.

20 MR. COOPER: Mm-hmm.

21 MR. SUTTER: Take a specimen project and
22 show us exactly how the cost estimating process works. You
23 know, if it's a consultant who does the basic estimating,
24 just how the consultant does it, how you guys check it, the
25 checks, double checks and how it's massaged. MR.

1 COOPER: Mm-hmm.

2 MR. SUTTER: And then the entire process on
3 a step by step basis. I think that would be -- that would
4 be a great education for all of us.

5 I think it would also probably result in a
6 better understanding and more confidence in the cost
7 estimating process --

8 MR. COOPER: Right.

9 MR. SUTTER: -- being thought through.

10 MR. COOPER: Okay.

11 FACILITATOR KERN: Are there any other
12 thoughts? Jerry.

13 MR. ANDERSON: Can we all expect an e-mail
14 Friday afternoon, then, on the FOIA response?

15 FACILITATOR KERN: Well, no. They'll be
16 sending in a letter, but we'll be on top of that, you know,
17 within a few days we'll be seeing if a letter was sent.

18 MS. MONAGHAN: I had asked Craig for RAP 3.
19 Am I going to get that?

20 MR. COOPER: Right. You wanted the CSTRs
21 for --

22 MS. MONAGHAN: For RAP 3.

23 MR. COOPER: Sure. We're doing a new
24 quarter report, so project managers, myself included -- in
25 fact, almost all the RAP 3 sites are under my name, so

1 we're in the process of updating our -- our project
2 estimates for those based on recent -- for example, in RAP
3 3 sites, we just got all these comments from DTSC, and
4 they're at a comment letter.

5 Bob still hasn't issued a formal issue of his
6 comment, so yeah, I'm in the process -- I'm having to come
7 up with some -- most of them are going to cost me more
8 money and I'm -- I'm going to have to just ballpark it at
9 this point, but it's a real comment that's coming in. It's
10 going to have real costs to RAP 3 remedies.

11 MS. MONAGHAN: Okay.

12 MR. COOPER: So how about when I hand out
13 the next quarterly report, your -- the one I give you
14 will -- I'll give you all the RAP 3 appendix D, as well.

15 MS. MONAGHAN: Okay.

16 FACILITATOR KERN: Are there any other --

17 MS. MONAGHAN: Thank you.

18 FACILITATOR KERN: -- comments for this
19 evening?

20 MS. CLEEK: I do have one. If you're going
21 to go through and talk about how you come up with the cost
22 estimates, can you, you know, fill us in on whether you go
23 out into like industry standards -- your other projects
24 that you know are going on, like the project managers, do
25 people at your level exchange information and talk and

1 figure that in? How do you -- who would know that we had
2 \$60.00 a barrel oil a few years ago.

3 The things that you can't immediately control
4 on that one site, how do they get factored into your
5 projects?

6 MR. COOPER: Just don't show the unit rate.
7 Show the reference document. How did you come up with that
8 unit rate?

9 MS. CLEEK: How do you come up with the
10 assumptions on what your universe will be like and where do
11 you get those ideas?

12 MR. COOPER: Yeah, okay. That will be a
13 detailed presentation, then, when we get down to that
14 level, but sure.

15 FACILITATOR KERN: Anything else?

16 I want to thank everyone again for coming
17 during the summer meetings. There are vacations and a lot
18 of things going on. Thank you for coming out.

19 Without objection, the meeting's adjourned.

20 (The meeting concluded at 9:16 PM).

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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN FRANCISCO)

3

4 I, the undersigned, hereby certify that the
5 discussion in the foregoing meeting was taken at the time
6 and place therein stated; that the foregoing is a full,
7 true and complete record of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the foregoing
10 meeting and caption named, or in any way interested in the
11 outcome of the cause named in said action.

12

13 IN WITNESS WHEREOF, I have
14 hereunto set my hand this

15 _____ day of _____,
16 2005.

17

18 _____
19 Mark I. Brickman CSR No. 5527

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PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS
TUESDAY, AUGUST 9, 2005
OFFICER'S CLUB, BUILDING 50
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator

Peter O'Hara

Craig Cooper

Mark Youngkin

Jim Ponton

Sara Segal

Gloria Gee

Sam Berman

Jan Monaghan

Julian Hulgren

John Budroe

Gloria Yaros

Michelle Passero

Jan Blum

Mark Trigiani

Tracy Wright

Jerry Anderson

David Sutter

Edward Callanan

Bob Boggs

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on August 9, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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AGENDA

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1 FACILITATOR KERN: So good evening,
2 everyone. Craig was being a good samaritan and helping a
3 local tourist, so he's going to continue to get set up, and
4 I thought we would try to begin our meeting relatively on
5 time.

6 Welcome, everyone to the Presidio Restoration
7 Advisory Board meeting for August 2005. Welcome to the
8 Presidio Trust and their contractors, who I don't see too
9 many of tonight, Park Service, our regulatory agencies.
10 Nice to see you, and community RAB members, thanks you for
11 coming out in the summer.

12 We sometimes don't have everybody showing up
13 due to vacations, but thanks to all of you for coming out
14 tonight.

15 Does everyone have an agenda? Are there any
16 changes or additions?

17 I have been asked to add an update for prior
18 to the break regarding legislation on the license plate
19 issue that might relate to our Mountain Lake discussion.

20 MS. BLUM: Great.

21 FACILITATOR KERN: So add that in there
22 prior to the break.

23 Any other changes? Are there any
24 announcements or old business?

25 Very good.

1 MR. COOPER: I have an announcement. Brian
2 had car trouble and he can't make it tonight.

3 FACILITATOR KERN: Oh. So we'll send Brian
4 our best wishes. Hope he made it home.

5 All right. Proceeding on, then, to committee
6 and working group business, I don't know, Mark, did you
7 happen to receive a letter yet from the --

8 MR. YOUNGKIN: Yes, I did. I have it right
9 here.

10 FACILITATOR KERN: We have an announcement
11 on our Freedom of Information Act appeal request, and we
12 already announced that we had heard about this by a phone
13 call after calling everyday practically in a row for two
14 weeks; finally got some action, and they denied our appeal,
15 but perhaps you might --

16 MR. YOUNGKIN: I'll pass this around. It's
17 three pages, three pages of legal analysis. Basically they
18 say that the information is confidential business
19 information in a nutshell.

20 FACILITATOR KERN: That would certainly
21 warrant an incredible amount of effort that we put in to
22 get that back.

23 So that is circulating around and we can all
24 look at it and talk about what we might do with that, but
25 we do at least have that decision and we have perhaps part

1 of our concerns worked into one of the letters that we'll
2 review tonight.

3 All right. Moving onwards to --

4 MR. BERMAN: Doug.

5 FACILITATOR KERN: Yes, Sam.

6 MR. BERMAN: Does the denial of the appeal
7 mean that there's no further formal process?

8 FACILITATOR KERN: I don't know the answer
9 to that. I don't know. I -- my feeling is is that it may
10 be now of a legal process, some sort of litigation, but I
11 don't know for sure if there's any other action that we can
12 take short of that. So that's something to be
13 investigated.

14 MR. BERMAN: Do you know anyone at the -- at
15 the -- let's see. The -- there's two or three politically
16 active groups who are local here who have had a great deal
17 of involvement with the FOIA process, and --

18 FACILITATOR KERN: Yeah. I know who -- that
19 you're talking about. NRDC probably would have some
20 facilities.

21 MR. BERMAN: So I was wondering whether you
22 felt -- since you already put out so much effort, whether
23 you would be willing to contact them and ask them what one
24 does if the appeal is turned down, because they've been
25 active in that for a long time and might have some ideas.

1 FACILITATOR KERN: All right. We'll
2 investigate.

3 Dave.

4 MR. SUTTER: Was the basis of the denial the
5 same with the original FOIA request?

6 FACILITATOR KERN: Mark is passing the
7 letter around.

8 MR. SUTTER: Okay.

9 MR. ANDERSON: It says here that there's an
10 exemption for trade secrets and information that is
11 commercial or financial obtained from a person and
12 privileged or confidential.

13 It says it's not a trade secret, but it does
14 fall under the commercial category.

15 MR. SUTTER: That sounds like the original
16 line.

17 MR. YOUNGKIN: That's pretty close when I
18 read it. It seems like what's of interest to me is they're
19 saying it's information, information that's not typically
20 given to the public, so therefore it's commercial
21 information.

22 It's not the merits of the information
23 itself. That's not typically given out.

24 FACILITATOR KERN: Any other comments at the
25 moment regarding our appeal, the denial of our appeal? We

1 will pursue seeing what other courses of action might be
2 open to us.

3 Our next item is fill site 6A status. I just
4 thought I would ask -- because this is an ongoing
5 remediation site with activity all the time. I have to see
6 if Craig would say a few words about --

7 MR. COOPER: Yes. I've got some great
8 photos that are going to show up in just a second here.
9 Just as a quick note, if you'll been driving by fill site
10 6A recently, you might notice for the last few weeks, there
11 really hasn't been activity.

12 When we were digging the east side of the
13 site over near Girard where the landscape zone is, we
14 encountered these dormitories associated with the former
15 Army nurse's quarters, and I think I talked about those
16 last month.

17 So while stockpiling the soil associated with
18 basements of the dormitories, we took some soil tests and
19 found that the -- the soil in that area had high levels of
20 lead, and it did not get picked up during our initial --
21 when we kind of do the bid walk with the contractor and do
22 the initial characterization study that those high levels
23 of lead were not found, and -- I mean, they were -- some
24 elevated lead there, but not at the concentrations we found
25 while excavating the site.

1 So, for example, you know, during the
2 characterization studies, we found that lead was maybe at,
3 you know, a hundred PPM at the most, plus or minus in that
4 a section.

5 So we thought the whole landfill was going to
6 go out as this cheap class III non-hazardous waste.

7 Well, on the east side of the site -- and
8 that has been true on the west side where the creek is
9 going in and so on.

10 That's all gone out as non-hazardous class
11 III waste, but on the east side where the buildings were,
12 what must have happened was that the lead based paint from
13 the old buildings had chipped off, and so the Army took the
14 dorms away, but then left all the lead paint that had
15 flaked off the buildings over the years, we're still
16 sitting there in the soil, and so that's what we
17 encountered, and so -- so, for example, when we did some
18 characterization tests, we found 520 parts per million
19 lead, and so then we -- you know, we made sure that we
20 tried to aggregate that soil as much as possible because we
21 wanted to make that volume as small as possible because we
22 know that's a lot more expensive for hauling it out, and so
23 -- but that's what caused the slow-down.

24 We needed to, you know, -- Ox Mountain, who
25 was accepting our class III waste, is not allowed to accept

1 any hazardous waste, and so we needed to get some profile,
2 better profiles of those stockpiles, farm it out to some
3 class I landfills and see what the rate was going to be,
4 and fortunately, it did not turn out to be RCRA.

5 There's two signs of hazardous waste: RCRA and
6 just regular California hazardous waste, and it turned out
7 to be California hazardous waste for at least the first
8 stockpile.

9 We have the second stockpile to test, and I
10 have the feeling that it will turn out to be the same. But
11 just financially, this does turn out to be a change order
12 because we did not assume any class I waste in this
13 landfill, and -- but we had them bid, so we had them locked
14 in at least some degree what they could haul out if we did
15 encounter class I waste, and then that price came in
16 comparable to what -- the waste that's going to be to
17 Kettleman landfill down in the Central Valley.

18 So I will do that. Okay. And it's not
19 showing. I shouldn't have helped that tourist.

20 As the handout says, if everyone's got my
21 handout, you can see that we've hauled off 550 tons of
22 class I so far, and 66,000 tons of class III.

23 So you can see the vast majority of the
24 site -- I don't know what's going on. No. This one is not
25 necessary.

1 Well, you can see from the -- you know, the
2 pictures are in your handout. They're in pretty good
3 quality. The first picture, kind of moving along here.

4 So just kind of going over my first slide,
5 the approximate waste left is 6,000 tons of class III and
6 2,000 tons of class I. So you can see that we're just
7 about there.

8 I want to talk a little bit about
9 confirmation sampling. I'll use the photos to do that and
10 we'll talk a little bit about the nurse's quarters and the
11 petroleum site that we encountered while digging up 6A, as
12 well.

13 So the first picture was just taken today,
14 and it was taken from Lincoln Boulevard, and you're looking
15 basically kind of north/northeast, so you can
16 see -- off to the right, you can see the Redwood trees, and
17 you see that little road just at the base of the Redwood
18 trees -- everyone okay with me? I'm sorry that the photo's
19 not working.

20 Do you see where I am in the photo? That was
21 our old haul road that we used when we were digging out the
22 stream area. We used that for the trucks to come in, get
23 loaded up.

24 So that road is going to get dug out now and
25 removed, and so it will be a little more smoother

1 transition from the flat zone on the left side of the
2 picture.

3 You see that big flat area where you see
4 pooling water, that's actually groundwater, pooling at the
5 site, and that's native soil there, and so what we've
6 really planned -- what will happen here is that you can --
7 that the creek will kind of come in and then meander off to
8 the right-hand side where you can see some heavy pooling,
9 and then -- I don't know the quality of your photo.

10 Then you can kind of see a water section kind
11 of heading off. That is basically kind of the -- how the
12 creek will eventually flow.

13 So -- let's see what else do I want to say
14 about this?

15 MS. SEGAL: Craig?

16 MR. COOPER: Yeah.

17 MS. SEGAL: Is that one of the nurse's
18 quarters building?

19 MR. COOPER: No. The building on the far
20 left, it's a historic building. It's made of brick, and it
21 was an old Army prison building.

22 MS. SEGAL: Thank you.

23 MR. COOPER: So Jim's going to try to
24 provide some technical support.

25 MR. BERMAN: The first thing to do is to

1 unplug the wire going into the laptop.

2 MR. PONTON: Okay.

3 MR. BERMAN: Take that out.

4 MR. COOPER: So another thing about this
5 picture is that building -- the one that Sara was talking
6 about -- is the -- that's an old Army prison building and
7 that's the one that got us in trouble.

8 The old -- the 72 inch storm drain ended up
9 being a lot closer to that building than we planned.

10 I've got other photos of that, and so that is
11 why we had to abandon in place the -- a segment of that 72
12 inch storm drainpipe.

13 And you can kind of see how this soil is
14 sloping underneath that. There's a segment of pipe
15 underneath there. I've got another picture of that.

16 MS. WRIGHT: Craig?

17 MR. COOPER: Mm-hmm.

18 MS. WRIGHT: Do you know what the plans are
19 for that building? Will that be restored or used for
20 storage purposes?

21 MR. COOPER: I don't know the plans. I do
22 know that it's a historic building and --

23 MS. WRIGHT: But it's stable, as far as you
24 know, after the -- I mean, you obviously had to leave the
25 pipe in place, but it is still stable?

1 MR. COOPER: Yes. Since we've done -- we
2 did some work very close to that slope and nobody had
3 noticed any -- you know, what we were afraid of.

4 We didn't even -- we were afraid that we
5 might undermine that slope and then cause some cracking.
6 It's just old brick, but there hasn't been any cracks shown
7 to that building yet.

8 Mm-hmm.

9 MR. O'HARA: That building was there long
10 before the pipe was put in.

11 Why would you think that you would disturb
12 the building if you pull the pipe out?

13 MR. COOPER: Well, because maybe we're just
14 a little bit more careful than the Army was as far as
15 putting things in and disturbing soil around historic
16 buildings, and so that was -- that decision to abandon the
17 pipe in place near that building was made by, you know,
18 Geotechs at the point.

19 And so -- it's because the Army took that
20 gamble doesn't mean that we necessarily want to take that
21 gamble.

22 MR. O'HARA: I'm just saying there is a
23 sound engineering reason for leaving it there as opposed to
24 a political reason.

25 MR. COOPER: There's no political reason to

1 leave it there whatsoever. I can't think of one. Yeah.

2 FACILITATOR KERN: Have you tried function
3 F5?

4 MR. BOGGS: Actually, to add to that, part
5 of that was our request because the -- the remedial design
6 documents that came to our agency showed an alignment of
7 that storm drain much further away from that building.

8 I have a picture, too, that if you saw that
9 storm drain actually came much closer to that building than
10 the historical engineering drawings showed.

11 You're correct in that they obviously put
12 that building -- the pipe in after the building was already
13 there, but it would have created just such a big steep
14 slope for that historic building that they needed a Geotech
15 to approve it because it -- it was definitely in the iffy
16 range.

17 MS. TRIGIANI: A geotech being a --

18 MR. BOGGS: A registered --

19 MS. TRIGIANI: Independent.

20 MR. BOGGS: One of their consultants has a
21 registered professional that's registered in that --

22 MS. TRIGIANI: Is there a consulting fee
23 attached with that?

24 MR. BOGGS: Well, I doubt it because the
25 consulting -- basically what came out of it from talking

1 with our civil structural engineer is they would have had
2 to have done some tests and/or significant amount of work
3 to protect that building, a priori, so then it's like do we
4 spend a hundred thousand dollars to remove a couple --
5 well, it would have been much more than a couple hundred
6 thousand dollars.

7 When we go through these, to remove a couple
8 sections of storm drain, the storm drain's very clean. It
9 wasn't -- there wasn't any residual contamination in there.

10 Do we spend an extra hundred -- a hundred
11 thousand dollars to remove them?

12 MS. TRIGIANI: What would be the source of
13 the original drawing? Would that be the US Army engineers?

14 MR. BOGGS: Correct.

15 MS. TRIGIANI: So they provided us -- they
16 provided the Presidio Trust with an inaccurate drawing?

17 MR. COOPER: Correct.

18 MR. BOGGS: It's a historic drawing.

19 MS. TRIGIANI: Upon which we made plans that
20 we had to switch.

21 When you say "change order," can't we submit
22 something to the US Army that provided the wrong kind of
23 information or is that not covered in our agreement with
24 over the hundred million original funding?

25 MR. COOPER: Um. I've never -- I haven't

1 really contemplated that as to whether -- there would have
2 to be --

3 MS. TRIGIANI: I strongly urge you to do so.

4 MR. COOPER: I would assume there would have
5 to be some intent, you know. They didn't intend to mislead
6 us.

7 MS. TRIGIANI: I don't think they ever
8 intended to mislead us, but they made a mistake, and the
9 hundred million was calculated -- part of the hundred
10 hundred million -- this is how my mind works, Craig, so
11 bear with me.

12 If the hundred million was calculated on
13 their drawing or some part of it thereof, then I think we
14 ought to go back to them and ask for a little redress.

15 MR. BOGGS: Well, it didn't in this
16 particular instance cost them nearly as much as it would
17 cost to collect because they were approved by our agency to
18 abandon them in place.

19 So it essentially cost them almost nothing.
20 Basically if it's not significant contamination, there's no
21 significant risks.

22 My agency will approve those kinds of changes
23 if it's going to affect a big structure like an expensive
24 building or historic building. Then all kinds of things
25 come into place because it's a historic building.

1 MS. TRIGIANI: I think it just could be done
2 just for purposes of making it known to the Army that they
3 presented some inaccurate information and sort of to keep
4 folks on notice that this is being watched, if that would
5 help in any way.

6 MR. BOGGS: Just as a bit of information, a
7 lot of what happens is what the trust received was a design
8 drawing, and so it's what the -- the Army probably intended
9 to put in, and then when it got put in, they didn't do
10 what's called an as-built.

11 These things slip by all the time, so when
12 they put it in, there was some characteristic that they
13 decided we're going to change it a little bit in the field.
14 It will work better this way.

15 MS. TRIGIANI: Sure.

16 MR. BOGGS: But then they never went back
17 and redid the drawings.

18 MS. TRIGIANI: So that's a mistake.

19 MR. BOGGS: It's very common, and you're
20 going to find that --

21 MS. TRIGIANI: It sounds like as common as
22 it is -- I'm not trying to be argumentative. I'm trying to
23 make sure that this is done in a way that is professional
24 and represents the amount of attention the trust is paying
25 for this remediation process, and I think that if they

1 didn't have accurate drawings, for whatever reason, benign
2 or otherwise -- I'm sure it's benign -- then that should
3 figure into how that hundred million was calculated and
4 perhaps there should be some redress.

5 MR. BOGGS: And that's a good point, and in
6 this particular case, it might be good to put them on
7 notice, essentially --

8 MS. TRIGIANI: Yep.

9 MR. BOGGS: -- because that's a
10 significant -- this is just my opinion. Craig will have
11 better -- this one doesn't seem that significant, but I
12 think if there were something that was more than -- more
13 than --

14 MS. TRIGIANI: Next time it might be
15 something --

16 MR. BOGGS: Something above \$10,000, yeah,
17 then it's probably worth Craig's time to pursue.

18 MS. TRIGIANI: That's the other thing, is it
19 worth --

20 MR. BOGGS: An opportunity, if it is an
21 opportunity.

22 MS. TRIGIANI: Thank you.

23 MR. COOPER: I know that the trust utility
24 department is constantly struggling with, you know, the
25 lack of as-builts, you know, in -- when they're redoing

1 electrical conduits and water pipelines and sewer pipelines
2 in the Presidio. There's just a lot of turnover.

3 Pipes are different, hookups were different.
4 You know, the Presidio -- as we know, people in the Army,
5 there wasn't a long tenure. There was turnover. Maybe the
6 commanding officer was there for a while, but kind of the
7 people running the place would be here for a year or two
8 and then they'd get shipped out and moved on elsewhere.

9 So we're seeing that the record-keeping is
10 not the best.

11 FACILITATOR KERN: Dave, you had a question.

12 MR. SUTTER: Yeah. Craig, given the age of
13 most of the buildings here, are there as-builts to begin
14 with for any of these buildings?

15 MR. COOPER: Yeah. Again, what Bob said, we
16 can go into the archives and there'll be drawings for a lot
17 of these buildings, even from the 1910s and '20s, but
18 as-builts, we're finding, you know, is not something that
19 oftentimes were done until '40s, '50s, '60s and so on.

20 MR. SUTTER: And was there any
21 representation by the Army in the MOU as to the accuracy of
22 plans and drawings?

23 MR. COOPER: That's what I'll double-check
24 in the MOA. I doubt it, because they knew from the get-go.
25 They were probably struggling with these same problems when

1 they were fixing up buildings.

2 FACILITATOR KERN: Peter.

3 MR. O'HARA: Craig, just a point that you
4 made. In this first photo, you had indicated that the
5 water that appears at the bottom of the -- of the picture
6 towards the -- right of center was groundwater; correct?

7 MR. COOPER: Yeah.

8 MR. O'HARA: Is it -- in the -- is the final
9 product here going to be that low or are you going to line
10 it with -- the concern I have is that you have standing
11 groundwater --

12 MR. COOPER: Right.

13 MR. O'HARA: -- and from a health
14 standpoint, that concerns me.

15 MR. COOPER: Mm-hmm. Because of the
16 mosquito issues?

17 MR. O'HARA: Yes.

18 MR. COOPER: The idea is that -- this is
19 finally going to work. Sorry about that.

20 All right. There we go. So, yeah. This
21 water here is groundwater, so they -- the pipe opens up and
22 we're standing on Lincoln Boulevard.

23 The pipe opens up somewhere around here. The
24 creek is basically going to go out this way where the stake
25 is and kind of follow this route along here and then we're

1 going to start building the head wall here.

2 Then it's going to get back into the pipe and
3 head off that way, and the trust ultimately has the vision
4 to open up this creek all the way to the Crissy Field
5 Marsh, and maybe we can bring Terry Thomas in and talk
6 about the rest of this creek project and what the trust
7 thoughts on that.

8 But the drop in elevation is a little bit
9 different than we thought going into it, too; that the
10 elevation drop, you know, here, this end is higher than
11 this end, obviously.

12 Otherwise water wouldn't be flowing in the
13 pipe, but I forget the exact, you know, difference, but it
14 is -- we thought the drop was going to be ten feet or
15 twelve feet, and it's actually I think six or seven feet
16 drop, elevation difference from one end of the site to the
17 next.

18 So -- I mean, we do believe water will move,
19 but what we expect this to be and -- that's the whole kind
20 of concept of a creek restoration project is to allow water
21 to slow down and to infiltrate in and for the surface water
22 that's flowing in during a rainstorm event to be
23 interacting with the groundwater and for this to become a
24 big wetland area. We plan on planting willows in the
25 stream corridor.

1 So, you know, we're -- due to the difference
2 in the elevation drop, our stream designers are aware of
3 that and they're okay, no problem, and they had to make
4 some adjustments to their stream design, but we -- you
5 know, we have the same concern about we don't want to turn
6 this into some kind of mosquito magnet and have people
7 worried about that, especially since, as you know, people
8 are living right here.

9 And so, you know, Terry Thomas and our
10 integrated pest management person knows about this site, so
11 I'm sure we're going to take every effort to --

12 FACILITATOR KERN: Isn't it true, though,
13 Craig that this isn't the final grade? There's going to be
14 additional grading to --

15 MR. COOPER: Oh, yeah.

16 FACILITATOR KERN: -- channel the water?

17 MR. COOPER: Absolutely. Once the
18 remediation contractor leaves -- they're Pacific States.
19 They're two remediation contractor. We're bringing in a
20 whole new contractor called Watershed something. They
21 specialize --

22 FACILITATOR KERN: Watershed Science.

23 MR. COOPER: And they specialize in stream
24 construction and design.

25 They put together what we call the fill site

1 6A restoration plan, which is basically our stream design
2 that we sent to the Regional Board and to DTSC and they're
3 the ones who are going to be managing the construction of
4 it.

5 So, yeah, they'll be -- this is all native,
6 and so there'll be -- as you can see, we're starting to put
7 the grading there. You can see that this is new soil.

8 The clean soil that we're starting to put
9 against this, the very steep slope that we've left here,
10 we're starting to build this slope up so that it's more --
11 at least a two to one angle here. That's going to come in.
12 The same thing's going to happen on this side.

13 Once we've removed the waste here, which is
14 underneath this tall road, between the redwood trees and
15 down to the native, it needs to be a nice gentle slope, and
16 then this creek channel will get constructed in, as well.

17 So there's still a lot to go here. It's not
18 going to be this wide open -- right now it looks like a big
19 irrigation canal or, you know, drainage thing, and it's not
20 -- ultimately it's not going to look that way.

21 FACILITATOR KERN: We need to --

22 MR. COOPER: Okay. So this is looking the
23 other way at the site. As you can see, the groundwater is
24 draining off right now. Right now we have like a little
25 collection system because we haven't gotten approval to put

1 the water that's coming across the site back into the pipe
2 yet.

3 So right now we've dug this little hole here
4 so the water comes dripping in here and we pump it out and
5 send it to a collection tank, but right now we're in the
6 process of collecting enough data for Jim and Bob to feel
7 comfortable that the -- this side of the site is all
8 cleaned up, the water coming across it is nice and clean
9 and we can now start putting the water back into the pipe,
10 which ultimately goes back into the marsh.

11 Okay. And you can see the abandoned segment
12 of the pipe here that this soil is over the top. You won't
13 even see it once it's all done. We're going to fill this
14 abandoned segment with some low density concrete, and that
15 work's going to start next week.

16 So the west side of the site is all clean.
17 I've been working with Bob in getting our confirmation. We
18 took a whole bunch of confirmation samples on the stream
19 side of the site, and that's all looking good, and that
20 site's clean.

21 Now we're looking at this side. This is the
22 rubble from the basement of the buildings, the nurse's
23 dormitory, and you can see that, and you can see these
24 soils stockpiled that came out of that area.

25 This is on the east side of the site, too.

1 This is a wall from one of the basements, and you can see
2 the historic wall that we've exposed and this is the
3 basement wall.

4 This basement wall is too close to Lincoln
5 Boulevard, and we're going to have to leave this one in
6 place, and of course we'll put clean soil over the top of
7 it so you won't see it, but that gives you an idea of
8 the -- we were almost able to remove all the basement walls
9 except for this one and then a little bit along the Girard
10 side, as well.

11 Okay. This gives you an idea. Here's the
12 west side of the site. Girard is right, you know, over --
13 over here, and you can see these kind of indentations that
14 we put in.

15 That's where we found some petroleum
16 contaminated soil and we had to dig down a lot deeper to
17 make sure we got all the petroleum.

18 We did special testing in these petroleum
19 areas in conformance with our petroleum contingency plan,
20 and you can see the stockpile of class I soil that is
21 starting to get hauled away now. And that's a truck
22 getting hauled.

23 Okay. That's it.

24 Any other questions on fill site 6A?

25 So up next is we're going to start -- we're

1 hauling away those stockpiles right now. We're going to
2 dig the western portion of the site, which we believe will
3 all be class III.

4 We're going to start building the head walls
5 for the entrance and exits of the creek and we're going to
6 fill in that abandoned storm drain, that seventy foot two-
7 segment with the -- with the low density concrete.

8 And then what we hope by the end of August,
9 our goal is to have all the remediation done. It's a
10 little bit ambitious. It might spill over into the
11 beginning of September; have Bob approve all of our
12 confirmation samples, and make sure that the site's
13 completely clean and then start the creek construction.

14 But we're actually -- you know, with Bob's
15 permission, we're going to put a fence up, but what we feel
16 the whole eastern portion, the east side of the site is
17 clean.

18 We can let the -- the Watershed Science
19 people there go in and start working, because we don't want
20 to, you know -- October 15th is really the deadline to get
21 this stream built because rainy season starts.

22 Okay.

23 FACILITATOR KERN: Thank you, Craig.

24 MR. BERMAN: Time for a quick question?

25 FACILITATOR KERN: Yes.

1 MR. BERMAN: When you mentioned the
2 discovery of the higher density lead --

3 MR. COOPER: Yes.

4 MR. BERMAN: -- how do you confirm that it's
5 really from paint and not from some other source?

6 MR. COOPER: We didn't. That's our
7 operating assumption right now, that it was from lead based
8 paint and it's still -- we're seeing this trend of
9 weathered lead based paint being extremely soluble, you
10 know.

11 At other sites, 520 PPM of lead may not cause
12 you to get class I, but at our site, you know, our lead is
13 -- what we think is lead based paint is extremely soluble.

14 So it's our operating theory. We don't know
15 of any other operations in that portion of the site that
16 would have caused lead contamination. There were some old
17 warehouses there, but nothing else.

18 MR. BERMAN: So if the lead from a petroleum
19 spill, leaded petroleum just wouldn't identify, they
20 wouldn't be soluble like this?

21 MR. COOPER: Yeah. Not this widespread.

22 MR. BOGGS: It showed differently. You'd
23 definitely see considerable petroleum, because when we put
24 the tetraethyl lead from gasoline, it's a small fraction,
25 so then you see a larger petroleum spill, as well.

1 We're seeing this at other military sites,
2 and what appears to be weathered lead based paint is more
3 soluble.

4 What Craig said, there's RCRA hazardous waste
5 and California. The California test is much more rigorous
6 the federal test. There's a lot of soil in California that
7 we consider hazardous that wouldn't be considered hazardous
8 in other states.

9 MS. PASSERO: Is there a way to confirm,
10 similar to if it was petroleum, some sort of spill if it's
11 paint? Are there other things that would lead you to
12 believe that it's paint?

13 MR. BOGGS: They -- they could do that
14 because there are things with paint, they can determine
15 that. It wouldn't change the outcome, though, and it's
16 kind of like to go to the expense and effort to do that --

17 MS. PASSERO: Right.

18 MR. BOGGS: -- wouldn't change how they have
19 to deal with it.

20 I think most people are comfortable that
21 that's the source as opposed to a spill. It's just so
22 consistent with all these characteristics of other sites.

23 FACILITATOR KERN: Thank you for that
24 update. We'll move on to the next item, landfill 8 and 10.
25 A few of us are reviewing this document.

1 At our last committee meeting, I actually
2 discussed how difficult this document was for me to get
3 through, and I think we tried to brainstorm a few ways that
4 we might actually help ourselves in reviewing the document,
5 because there are two sites, landfill 8 and 10 and the
6 preferred remedies, I guess, combined are going to cost 9
7 or 10 million.

8 So it seems worth our trouble to maybe have a
9 little bit more visualization of what's being discussed.

10 There are two alternatives, alternative 2 and
11 3 and then there are subalternatives A, B, C, D, E, F, G
12 for each alternative.

13 And so we talk about the idea of having some
14 computer visualizations of 3-D models. So I wanted to
15 check in with Craig and see if he had heard anything about
16 that.

17 MR. COOPER: I talked to my consultant, and
18 I asked them to put together some options for me. They
19 did. They do know of some options, and so they are doing
20 some research right now and putting together an informal
21 memo as far as, you know, options on how to proceed, and
22 they've actually -- I guess -- yeah.

23 There's various -- they're just not going to
24 hold it for options they're looking at. Not only for
25 engineering type concept on this, but they're going to

1 somebody who does like community relations and more public
2 outreach-type things and see what suggestions they come up
3 with, see what the techies -- the engineering firm will
4 come up and see what we can put together for our project.

5 And so I expect them to be a week or two as
6 far as options and I'll present those to you, but I think
7 to keep costs down, you know, because I'm having them look
8 at computer generated options, as well, so we might have to
9 use the computer to look at a larger universe and
10 then -- and then just use the physical models for a smaller
11 subset, maybe two or three of the alternatives.

12 I really don't have much more to say than
13 that other than we're still interested in information,
14 selection mode. We're incurring a little bit of money on
15 this. I think it's worthwhile; not only to help explain it
16 to you all, but there will be other communication efforts.

17 The neighbors that live right off 15th Avenue
18 and 16th, especially, because the homes at 16th have a
19 really good view of landfill 10, and so they're going to
20 need to know all of the kind of aesthetics issues
21 associated with alternatives.

22 MS. TRIGIANI: Perhaps that can come out of
23 the trust general communication and PR budget, that
24 outreach question.

25 MR. COOPER: On landfill 10? It could. It

1 seems pretty specific to remediation, but, I mean, I hear
2 you Mary.

3 I think I have just -- I'm trying, to the
4 extent I can, to seek other departments' budgets to do
5 stuff.

6 MS. TRIGIANI: Right.

7 MR. COOPER: I try to -- you know, if it was
8 like -- I don't know -- associated with -- with the larger
9 hospital project and they wanted to do some landfill --
10 incorporate landfill 10, I'd say no. That's your -- you
11 pay for it and you cover the aspects associated with
12 landfill 10 --

13 MS. TRIGIANI: Right.

14 MR. COOPER: -- but I -- actually, that was
15 the first place I went to.

16 I asked Chandler McCoy at the trust and said,
17 "Hey, has -- I know that your project's kind of stalled
18 there on the apartment/residential project, but did you
19 guys do any physical models on your end that maybe I could
20 go off of? Because then that would be really helpful for
21 the larger community relation," and they said they hadn't.

22 They had just done some conceptual -- the EIS
23 conceptual views, but nothing more than that, because, you
24 know, sometimes builders do that with a little scale of the
25 buildings and the people and the roads and stuff like that,

1 but no physical model had been built.

2 So it's back to us again, which typically
3 seems to happen. If it were -- oftentimes the remediation
4 is leading the show on these things, so no other department
5 has really invested too much.

6 MS. TRIGIANI: I'm sorry.

7 FACILITATOR KERN: Go ahead.

8 MS. TRIGIANI: If they assume it's going to
9 come out of the remediation budget, so why should they,
10 right? It may be worth a general conversation on these
11 issues --

12 MR. COOPER: Yeah.

13 MS. TRIGIANI: -- to try to get some sort of
14 outreach support.

15 MR. COOPER: Right.

16 FACILITATOR KERN: Peter.

17 MR. O'HARA: Have you ever thought of going
18 to them trying to find out if they could animate what it is
19 you're trying to do, moving from -- moving through the
20 various options with all of their suboptions and somehow
21 taking the -- taking the concepts and animating them?

22 MR. COOPER: Mm-hmm. Putting them --

23 MR. O'HARA: I have absolutely no idea,
24 something --

25 MR. COOPER: It's an interesting idea,

1 right.

2 MR. O'HARA: You've got a deep rural leader
3 doing something like that that's paying your rent.

4 MS. TRIGIANI: They've extolled.

5 FACILITATOR KERN: Just so everybody knows,
6 there was a -- over a year of discussion between the trust
7 and the park service about these options.

8 I'm trying to read the document. I can't
9 really figure it out. I'm asking for help. I think that
10 help will be helpful to everyone to be able to begin and
11 who pays for it -- I mean, it's going to be ten million if
12 we do these options.

13 It's worth spending some money to see what
14 the heck people were trying to figure out here.

15 MR. COOPER: Mm-hmm.

16 FACILITATOR KERN: And I agree. There are
17 other options where we're to get the money from, but we
18 need to get this.

19 MR. COOPER: I've scoped out \$7,000.00 for
20 EKI to put -- not only give me this options memo on this,
21 but at least -- we couldn't scope it out because we didn't
22 know what the physical models would be, but it could end up
23 -- the 7,000 could pay for everything or give us more than
24 fifty percent of the way there. Just to give you a scale
25 on how much I'm spending so far.

1 FACILITATOR KERN: That was just regarding
2 landfill 8 and 10. I wanted to check in with Craig so
3 everybody knew where we were in that -- that particular
4 process.

5 MR. COOPER: Just so you know, like as far
6 as putting together a comment letter, you feel like you
7 really can't put things together until you get some models
8 so you can help visualize on the alternatives and start
9 having a conversation around that?

10 FACILITATOR KERN: Yeah. I mean, without
11 getting into discussing the -- the two sites, there are --
12 it's a very dense read, the document.

13 MR. COOPER: Yeah.

14 FACILITATOR KERN: I would have a lot of
15 trouble trying to describe it to anybody personally without
16 some kind of a model. I mean, I can barely even visualize
17 it by looking at the figures.

18 I've never really had that problem with any
19 of the documents that I've read. It's not that it's a bad
20 document. It's just extremely dense.

21 MR. COOPER: Right.

22 FACILITATOR KERN: There's a lot of
23 analysis, a huge amount of text.

24 MR. COOPER: For landfill 10, there's a lot
25 of meaty component to it. It's really hard to show on a

1 2-D piece of paper.

2 How about landfill 8, anything that you think
3 that I could be doing to help you re-review on the landfill
4 8 portion of it?

5 FACILITATOR KERN: That's much more straight
6 forward. There's not a lot of subalternatives and things.

7 MR. COOPER: Right.

8 FACILITATOR KERN: You excavate out the
9 wings and the top layer and it's pretty straightforward.

10 MR. COOPER: Okay. Well, hopefully, I
11 don't want to hurt myself, but I'm working on models.
12 Maybe two RAB meetings from now, we'll have something put
13 together. It will be a good goal for us.

14 MR. BERMAN: A comment on -- on the
15 technical part that Doug is referring to are the set of
16 appendices on 10 where all the diagrams are --

17 MR. COOPER: Right.

18 MR. BERMAN: -- and they are -- as far as in
19 my reading, were never intended for anyone who isn't a geo
20 engineer to read because the vocabulary is
21 extremely --

22 MR. COOPER: Right.

23 MR. BERMAN: -- specialized.

24 MR. COOPER: Right.

25 MR. BERMAN: And so, you know, I think it's

1 a detailed report that only a person versed in the
2 technical aspects.

3 But you can't figure out why they -- why the
4 different A-B-C-D-E cost differences are without reading
5 the appendix. Unfortunately you're stuck in doing that.

6 MR. COOPER: Mm-hmm.

7 MR. BERMAN: So I'm just adding comment to
8 Doug's comments already that it's -- I think it's really a
9 very good idea to do this, and I know over at UC in the --
10 in landscape architecture, they do these projects all the
11 time for this sort of thing, and we probably could get some
12 good and cheap help over there.

13 It would be far less costly than -- than
14 having EKI do it. A couple of students, they get assigned
15 projects all the time as part of their assigned tasks.

16 MR. COOPER: Okay.

17 MR. BERMAN: I don't know anyone --

18 MR. COOPER: For example, I know we're not
19 here to talk about -- actually, we are here to talk about
20 207.

21 I am using Sonoma State to help fund an
22 aspect of the 207 project, and they're a lot cheaper than
23 using a consultant, yeah, for sure.

24 FACILITATOR KERN: With that, trying to move
25 the agenda, let's move on to 207/231.

1 I know, Craig, you have a little bit prepared
2 here and I had a -- I'm trying to prepare comments to send
3 in to Jim on 207/231. We had a brief discussion in our
4 last RAP committee meeting.

5 MR. COOPER: Yeah.

6 FACILITATOR KERN: And I just want to talk
7 about that with folks here tonight, so why don't you review
8 what you have.

9 MR. COOPER: I know -- we are on 1065 area.
10 That was the corrective action plan area, and I think I
11 presented at the last RAB meeting or is it two RAB meetings
12 ago? It was the July one.

13 FACILITATOR KERN: I think so.

14 MR. COOPER: That was a much more detailed
15 presentation, but on this one, I did a little presentation
16 at the RAB committee meeting at the end of July and I have
17 the document on CD.

18 I have both the 1065 one, if you didn't get
19 that one at the last RAB meeting, and I have the one that
20 we're going to talk about tonight, 207, the entire document
21 is on on CD here.

22 I handed out both of these CDs at previous
23 meetings, but if you missed it, there you go.

24 Basically let's just get to what we're
25 recommending here. It's a creative action plan. That

1 means petroleum is the primary contaminant.

2 We broke -- it's a large area wide. I have a
3 map here to show you where it is in a second, but
4 basically, for all of the petroleum areas, we're
5 recommending clean closure of the petroleum contamination.

6 That means dig it up, haul it away and do
7 some groundwater monitoring for hopefully just three years
8 to show that the clean closure worked, and then at one of
9 the petroleum areas, building 228, due to access issues
10 that the contamination's underneath the building and --
11 that we're going to shoot some in situ oxygen release
12 compound into it to try to knock at least the groundwater
13 contamination down a little bit, but then that
14 contamination will be trapped in landfill 8.

15 I know this is not the greatest photo. Just
16 so you know where you are here, here's the east side of
17 Crissy Marsh. Here's Doyle Drive, and the two large
18 contaminated areas are here.

19 As you can see, it's between the marsh and
20 Doyle Drive, and then the other one is in this area here at
21 -- the former building 231.

22 Both were basically gas stations that leaked
23 a whole bunch of fuel into the soil, and then there's some
24 other miscellaneous petroleum areas as well on the site.

25 And just so you know, back here, the

1 eucalyptus, fill site 6A, these are the eucalyptus trees
2 that go right into fill site 6A. That 72 inch storm
3 drainpipe that we talked about crosses the site and goes
4 into the marsh here.

5 These aren't great maps. I apologize for
6 that, so they basically show more detail of where the sites
7 are located at building 207 and 231.

8 Basically, but if you add up all of the clean
9 closure work that we're going to do along with that one
10 little site where we're proposing capping, it adds up to a
11 total of 2.1 million to 2.4 million, and I need to explain
12 why there's a little bit of range there.

13 Groundwater monitoring is in the ballpark of about 390,000
14 for a total of, as you can see there, about 2.5 million or
15 so.

16 And this is, you know, using our cost
17 tracking and budgeting, we can talk about that more, but
18 that was compared against where we thought we were going to
19 be in 2004 for this site, and I looked it up again and it
20 is still -- for example, back in 2004, we thought that this
21 project was going to cost us 2.9 million.

22 The 1999 Army budget for this project was
23 three million. So right now, we're still kind of at a --
24 you know, an estimate stage, but we're coming in pretty
25 much where we thought the -- what the project was going to

1 cost us.

2 FACILITATOR KERN: Mary.

3 MS. TRIGIANI: Craig, if you already said
4 this, clean closure as opposed to the in situ and
5 monitoring will cost what on that particular location?

6 MR. COOPER: The one that we have access
7 props with?

8 MS. TRIGIANI: Yes.

9 MR. COOPER: You know, we basically -- we
10 said that the clean closure one was non-implementable. I
11 don't remember off the top -- I think we costed it out, but
12 we said that it's just -- yeah. We would not -- the
13 implementability is the problem.

14 We can't get out -- because a lot of it's
15 gone underneath the foundation of the building. Coop.

16 MS. TRIGIANI: Okay. And the 2.9 million
17 that was estimated at the last juncture before this one,
18 did that include -- did that assume clean closure for the
19 entire set of sites?

20 MR. COOPER: Yeah. I would say probably
21 yeah.

22 MS. TRIGIANI: Thanks.

23 MR. COOPER: So as I put a little asterisk
24 on the capital cost for the -- on the remedy because
25 there's that range of 2.1 to 2.4 million, and so the

1 capital costs vary a little bit because the clean closure
2 remedies have various backfill options, and the way I'm
3 doing this is that I'm selecting all three backfill
4 options, A, B and C.

5 I'm saying to Jim all three is within the
6 overall scope of my remedy and so that's why my remedy had
7 this range as far as cost, because each of these backfill
8 options have a different cost associated with them.

9 So just so we're clear on this, I don't plan
10 on, you know, redoing the document in a couple months and
11 selecting one single backfill option. I am going to
12 finalize the document giving me the flexibility to pick
13 either of these three backfill options, and so I'm going to
14 go over them quickly.

15 We've done this in small committee meetings
16 again, but I think you will find this the most interesting.

17 Backfill option number A, so we're going to
18 dig these big holes. Do we fill them back up again with
19 clean soil or leave them open?

20 Option A is the one with very minor backfill.
21 The holes would basically be water ponds. I'm using
22 colloquial terms here so you can kind of get it. That
23 means the groundwater would be -- it would be these little
24 ponds of water.

25 Well, in some cases big ponds of water, and

1 so the costs in backfill option A includes a little bit of
2 minor backfilling, because we wouldn't leave really steep
3 slopes.

4 We'd have to put in a drainage overflow
5 systems, so during heavy rains, the ponds wouldn't fill up
6 and overflow the holes, so we'd want to siphon off the
7 water and put it into the 72 inch storm drain that goes
8 near the site and put some vegetation on the sides. That's
9 option A.

10 Backfill option B is we'd fill it up with
11 probably the nice dune sand that we've put in area 9; plop
12 it over the holes enough to bring it up so you don't see
13 the groundwater anymore.

14 So it would be indentation up and down and
15 back up again, and that also we'd have to do a little bit
16 of drainage just in case, to siphon off a little bit of
17 water in the winter so it doesn't overflow.

18 But also on the bottom, too, because it's
19 sitting in groundwater. Even though you wouldn't be able
20 to see the groundwater, the sand would be wet and wet, and
21 you'd be able to vegetate those holes in a creative way.

22 We'll be working with Terry Thomas in how to
23 do that.

24 Backfill option C is completely backfilled up
25 with clean soil. Whether we use sand or regular soil, we'd

1 have to, you know, make sure it meets some kind of
2 compactability and pave over the top of it.

3 So even though it says restore to current
4 status, that means if there was a parking lot there, we'd
5 fill it up with soil and put asphalt over the top of it.
6 Those are the three options.

7 And so you guys have got the documents and so
8 I'm looking for comments, and for the 1065 cap, I think we
9 talked about having comments in by the end of August I
10 think is what we decided on 1065.

11 So on 207/231, I don't know where you guys
12 are on your review, but maybe if this is not such a
13 controversial document, maybe by the end of September. I
14 don't know how Jim feels about that, if we're in the middle
15 of August now.

16 How do you guys -- I mean, mid September.

17 FACILITATOR KERN: Right. I think that
18 those of us that have looked at the document are happy with
19 it. It reads really well.

20 There's -- it was very straightforward, easy
21 to read, easy to see what's going on, The costs seem to
22 be right out there, very understandable.

23 So the comment that I have about 207/231,
24 1065 and perhaps fill site 6B is all these sites are
25 overlapping in a general area right in between them, and so

1 kind of tracking which document is going to make sure that
2 -- so the whole area is covered and something doesn't fall
3 through the cracks, basically.

4 MR. COOPER: Mm-hmm. Okay.

5 FACILITATOR KERN: Because there is some
6 element of 1065 where there's question marks out in sort of
7 the western side of it, which is kind of overlapping fill
8 site 6B --

9 MR. COOPER: Correct.

10 FACILITATOR KERN: -- and which is adjacent
11 to what we're talking about here, 207/231.

12 So just -- maybe if we could have some
13 feedback about all that is going to work. I haven't really
14 been able to tell yet.

15 MR. COOPER: Okay.

16 FACILITATOR KERN: But in general, I think
17 we're in agreement about everything's being handled, you
18 know, excavated, taken care of, so --

19 Jim.

20 MR. PONTON: My perspective on 1065 -- I've
21 told Craig this already -- is on the west side where we're
22 relying on luck and a parking lot to deal with residual
23 contamination that's kind of hit and miss, that luck is
24 something that you would survey in a finite spacing that
25 would be defined, but the blob that kind of lies underneath

1 that is kind of defined in a different section direction.

2 We need to talk about that. I'm -- honestly
3 I'm not too wild about ponds. I like to stay away from
4 groundwater at the surface, and I do have concerns about
5 the MTBE that we see down pretty close to Crissy Field
6 Marsh, because MTBE from my experience at Hamilton and
7 other sites, nothing stops it. It runs like the wind, and
8 there's nothing you can really do to remediate it.

9 I'm not -- I don't know why there's not
10 another option of where we fill it, we have to asphalt it.
11 Why we can't fill it and leave it as earth?

12 The next step would be improve with a parking
13 lot. If we have a hole, a partial hole and then an asphalt
14 parking lot, and I'd like to see if much thought has gone
15 to have holes that are open that would attract birds,
16 attract things to it that have petroleum contamination in
17 it.

18 Usually with natural contamination of
19 petroleum, we rely on the fact that it's not accessible.

20 So those are my points right now. I have
21 concerns about the MTBE, concerns about the contamination
22 of groundwater and leaving it accessible and opening it up
23 to people and vectors and eco receptors can get to it, and
24 then lastly how well defined the parking lot is. I have
25 that on 1065.

1 MR. COOPER: So option B, backfill option B,
2 that would -- under that option, groundwater would not be
3 exposed.

4 MR. PONTON: Right. We'd still have --
5 right.

6 MR. COOPER: So that one might be okay.

7 I'm personally a little partial to backfill
8 option B. I'm putting that out there. You were curious
9 about where my mind is going on this project.

10 MR. O'HARA: I have the same concern with
11 the ponds as I did with the groundwater when we were
12 talking about landfill 6A. The standing water for
13 residential areas to me is -- it's an open invitation to a
14 problem.

15 MR. COOPER: Right.

16 FACILITATOR KERN: Bob, did you have
17 something?

18 MR. BOGGS: You'd mentioned a concern about
19 things falling through the cracks and the difference
20 between 1065, 6B and different areas.

21 One of the things that might be requested --
22 and he's essentially already started work on the archive
23 search stuff, when we tie up the tight, we actually have to
24 go through a process -- we actually have to do a RAP for
25 the entire site which basically defines those areas that

1 are clean and why we think they're clean and have no LUCs,
2 as well as defining those areas that do have some sort of
3 residual contamination and an LUC attached to it.

4 So there actually will be a project, kind of
5 when we start to tie things up at the end, where they have
6 to kind of go and double-check and why we're saying like at
7 6A this site is entirely clean.

8 There's no LUCs at all for eco receptors,
9 human receptors or anything, but all this area outside it,
10 that all needs to be tied up and put together at the end,
11 and so there actually is a process for doing that.

12 FACILITATOR KERN: Jan.

13 MS. BLUM: If we do accept that preferred
14 option that Craig has and we don't have standing water, my
15 concern is how do we -- what provision will be made to
16 connect hopefully the running water in Tennessee Hollow or
17 whatever it is that we're calling fill site 6A right
18 now --

19 MR. COOPER: Mm-hmm.

20 MS. BLUM: -- to Chrissy Marsh to execute on
21 the vision of Tennessee Hollow watershed.

22 MR. COOPER: Right.

23 MS. BLUM: Will we have to pay for that
24 again later? Will the RAB have to pay for that later to
25 connect this water area, 207/231 to connect to Chrissy

1 Marsh? How does that fit into the picture?

2 MR. COOPER: Yeah. That would be part of
3 the Tennessee Hollow watershed project, whatever that turns
4 out to be, and so basically for fill site 6A, it is it just
5 so happens that the remediation perfectly kind of luck --
6 it depends on your perspective, but it kind of lucked into
7 kind of, you know -- kind of setting the stage for the
8 Tennessee Hollow project to easily fit into that piece.

9 We left it as a stream as the best way to
10 restore the site.

11 207/231, the way the digging is happening, it
12 doesn't fall into -- perfectly into the Tennessee Hollow
13 vision, but it -- you know, that's why I think that if you
14 want to have a comment and influence that process, comment
15 on the backfill options that we select, A, B or C, because
16 obviously if we go with option C, the full backfill and
17 pave, then, you know, that would be -- that has the less --
18 the least inertia toward a full Tennessee Hollow vision in
19 that area, whereas backfill options A and B basically kind
20 of get the thinking process going in that direction.

21 So I think that if you guys are really
22 interested in that -- and I'd like to bring Terry Thomas.
23 I'm really telling the planning department and the natural
24 resources department saying I have written a document that
25 provides you with maximum flexibility on what you want to

1 do this there.

2 I'm not the planning department, so I can't
3 decide where Tennessee Hollow is going to go and not going
4 to go, but I've written a document where this is our
5 opportunity to coordinate, and they totally got the message
6 and she needs to go out there and talk to senior staff and
7 look at NEPA considerations and things like that and then
8 hopefully get back to me by November 30th, 2006 by the
9 time, you know, we start digging and so she can inform me
10 on how -- what makes the most sense from a planning and
11 future use perspective on how to backfill in this area.

12 I don't know that really answers your
13 question.

14 MS. BLUM: It does. We just have to make
15 sure that our comments include the bigger picture --

16 MR. COOPER: Right.

17 MS. BLUM: -- rather than just the site
18 remediation, Doug's point how they all tie into one
19 another.

20 MR. COOPER: Right. Backfill options, even
21 A and B, it's obviously not the total Tennessee Hollow
22 vision, but there would be some costs, some the remediation
23 department is going to pay for it.

24 If someone wanted to finish Tennessee Hollow
25 in that area, there's going to be costs even if we left the

1 holes open or partially open.

2 There's obviously more digging that would
3 have to be there and more stream design or abandon the
4 pipe. There will be some costs associated with finishing
5 the Tennessee Hollow concept in that area, that the
6 remediation department will not pay here.

7 MS. BLUM: Just one related curiosity
8 question. If you did have water ponds in option A, how
9 deep would you believe that those might be?

10 MR. COOPER: I think groundwater is around
11 seven feet, yeah, deep in that.

12 MS. BLUM: Plenty deep.

13 MR. COOPER: Yeah. If you're standing at
14 the ground surface, you look down at the bottom of the
15 hole, and if the hole was at least seven feet deep, you'd
16 start to see water surfacing there, seven feet below where
17 you're standing.

18 MR. PONTON: One last point I want to make,
19 I need to look at the cleanup levels, but if we have
20 surface water, we'll have to apply more stringent surface
21 water numbers.

22 MR. COOPER: I believe we did. I'm praying
23 we got the cleanup levels right on this one. It was a
24 pretty complicated site.

25 207 is a saltwater protection zone,

1 freshwater protection zone and it's potentially a surface
2 water feature. So hopefully --

3 MR. PONTON: But I'm not sure if -- I'm not
4 sure if we allow -- and I need to check into this -- that
5 you have -- that you can create a surface water feature
6 that allows attenuation to occur.

7 MR. COOPER: I see. Based on current
8 levels.

9 MR. PONTON: Some of your levels are
10 really -- tons of PPM with gasoline. There's a lot of
11 stuff there.

12 MR. BOGGS: You'll have a sheen on your
13 pond.

14 MR. PONTON: You'll have a sheen, an odor
15 and a hazard.

16 MR. COOPER: After we remove the
17 contaminated soil --

18 MR. PONTON: Potentially.

19 MR. COOPER: -- the groundwater will clean
20 up, you know. We think within three years. That's our
21 best estimate.

22 There's a lot of different factors that
23 affect that kind of natural degradation of petroleum
24 products in groundwater after you remove the source.

25 The first thing is to remove the source and

1 you wait to see how quickly the groundwater starts to clean
2 up.

3 Okay.

4 FACILITATOR KERN: Well, that answers a lot
5 of the item number 4 that I wanted to bring to everybody's
6 attention, and it looks like between Craig and Jim and Bob
7 and those of us reading it, those items are going to come
8 together, and then we'll make some comments about how to
9 leave the site and all that.

10 We did have one item that we added that we
11 want to get in before the break, and Michelle was talking
12 to me briefly before the meeting started about a possible
13 opportunity with this license plate legislation.

14 MS. PASSERO: This was way before, so I
15 don't know how many people have heard about it, but
16 potentially the Presidio could have a license plate that
17 could fund cleanup and restoration.

18 The idea originally came out of concerns
19 about Mountain Lake, but it could apply throughout the
20 Presidio, and there was legislation introduced earlier this
21 year for the Sierra Nevada Conservancy and originally it
22 was totally geared toward that, but based on recent court
23 decisions, the legislature was forced to come up with how
24 specialized license plates could be created. That
25 bill could be changed to be somewhat more generic. It

1 doesn't apply to the Sierra Nevada Conservancy, but a more
2 specialized license plate in general, and this bill,
3 Assembly Bill 84 is -- has a hearing on August 16th in the
4 Senate Transportation and Housing Committee and the way
5 it's edited so far is that it allows -- it limits
6 specialized license plates to state and local agencies.

7 There was a competing bill which is likely
8 going to fail. This one has the most support behind it
9 that actually had allowed federal agencies national parks
10 within the state to be able to have a specialized license
11 plate, as well, so I had just made some general inquiries
12 about if there's support to -- you know, to keep it open,
13 keep the options open so specialized license plates could
14 include national parks like the Presidio, how would you go
15 about doing that, and essentially it's contacting this
16 committee and then the subsequent committee where there
17 might be a greater impact for influence around this, which
18 is the Appropriations Committee where Carol Migden is the
19 chair.

20 And so the idea would be to ask them to keep
21 the language broad enough to include federal agencies that
22 would provide the opportunity for the Presidio to actually
23 get -- apply to the DMV for a specialized license plate.

24 So I did talk to the Presidio Trust
25 government relations person. She's aware of everything

1 that's happening, and the Presidio Trust certainly is
2 limited as far as lobbying is concerned.

3 So one thing potentially that the RAB could
4 consider doing is drafting a letter to -- and the one
5 hearing on the 16th is pretty short turnaround to do a
6 letter, and then I don't know what the date would be for
7 the subsequent hearing, but if -- you know, if people are
8 open to it, try to get a letter together over the next few
9 days.

10 It would be fairly brief explaining who the
11 RAB is, our interest and why we want to see the language
12 broad enough to be able to include federal agencies like
13 the Presidio that benefits the state and public citizens,
14 and that would be the effect and then we could do the same
15 with Carol migden and could certainly follow up with some
16 phone calls, too.

17 MR. SUTTER: What would be the benefit to
18 the trust for the remediation program?

19 MS. PASSERO: This would just be preserving
20 the right for the Presidio Trust to be able to apply for a
21 specialized license plate.

22 They would then in that application process
23 have to explain the purpose of it, and then the legislative
24 language also has some basic purposes, too, so it could be
25 for conservation.

1 It has to fulfill state purposes, so it would
2 be state and federal purposes, but public purposes like the
3 Presidio is designed to be, and that would also incorporate
4 cleanup and restoration.

5 MR. SUTTER: Would the trust make money out
6 of this?

7 MS. PASSERO: Yeah. That would be --

8 MR. SUTTER: That was the question that I
9 wasn't clear on. Okay.

10 MS. PASSERO: That would be the whole
11 purpose.

12 MR. SUTTER: Question answered. Thank you.
13 So --

14 FACILITATOR KERN: Bob.

15 MR. BOGGS: Do we know what basis -- because
16 Yosemite has a license plate already, and that's a national
17 park. So I was wondering if there's maybe already some
18 basis for the federal agency.

19 I don't know how that one already came about,
20 but there might already be language or legislation that
21 might allow the Presidio to pursue it already.

22 MS. PASSERO: Well, the court -- the effect
23 of the court decision was if it just put a stop to the
24 whole program, because the state now has to develop
25 more -- the courts are saying the state's sort of willy

1 nilly making a special interest, with government endorsing
2 special interest.

3 So the government has to come up with a more
4 objective way of allowing the license plates to occur.

5 The Yosemite one -- and actually the Presidio
6 government relations person asked us, too. It could be
7 through the Yosemite Institute that that plate came about,
8 which is a non-profit, but we should just take a look at
9 the original language, anyway, because the existing
10 precedent adds more argument for maintaining it, so --

11 MS. BLUM: Michelle, did I understand you to
12 say that you have talked to the Presidio Trust legal
13 department about pursuing this?

14 MS. PASSERO: Well, I don't think she could
15 actually tell me one way or another at least at this point
16 what we're going to do.

17 MS. BLUM: Mm-hmm.

18 MS. PASSERO: She said she was going to look
19 into it, and I think she's pretty clear in stating that the
20 Presidio Trust can't lobby, per se. They may be able to
21 make suggestions. Who knows?

22 MR. COOPER: Right. I think that we can't
23 write -- we can't write a letter about any type of pending
24 legislation. We're forbidden -- any federal agency is
25 forbidden from doing that.

1 We can't get involved in that, but that's
2 what's so great about Michelle, this group. Perhaps Golden
3 Gate National Park Conservancy. Dana
4 Polk, when she said she's going to look into it, I'm 99
5 percent sure that's going to call up the Park's
6 Conservancy, why don't you write a letter. They can. We
7 can't. The Parks Conservancy can. I don't know why you
8 guys couldn't. I don't really know how that parks.

9 As long as you don't put it on Trust
10 letterhead. I couldn't sign the letter.

11 Michelle, you're the attorney. The RAB -- I
12 don't know what legal standing you have as far as --

13 MS. PASSERO: We just represent the public
14 people in the area, so that's our standing, we're
15 constituents to Carol Migden and other legislators who --
16 who'd be interested in doing it, so --

17 MR. COOPER: Right.

18 FACILITATOR KERN: I think we could -- if we
19 chose to write a letter, we could certainly write it as a
20 group of individuals with interests in the Presidio.

21 I don't know that the RAB is an
22 officially -- we're official, but not in terms of that kind
23 of a body.

24 So -- but I guess what I'm interested to know
25 is whether people would want to take the time to get some

1 kind of a letter in from us before next week to leave our
2 option open.

3 MS. BLUM: I absolutely think it's a
4 wonderful idea, first of all. I liked it when I first
5 heard it.

6 I do think it would behoove us to make a
7 phone call to Brian Neal's office, whoever. Dana Polk, is
8 she trust?

9 MR. COOPER: She's trust.

10 MS. BLUM: I think we should contact the
11 Golden Gate National Parks people.

12 MR. COOPER: Conservancy.

13 MS. BLUM: They have how many different
14 national parks that they may want to -- I don't know.
15 Maybe the language is so generic that we wouldn't have to
16 name the Presidio, but there are so many parks to Golden
17 Gate National Recreation Area that might be interested in
18 having their own license plate, too, that it would be good
19 if we could make it generic enough so that it would include
20 all the parks in GGNRA is the point.

21 I think we ought to contact the Park Service
22 and talk about that and tell them what we're doing.

23 FACILITATOR KERN: John.

24 MR. BUDROE: Communication's not a bad idea.
25 You'd probably have to make the language generic enough so

1 that all the national parks would be able to benefit, so
2 everybody who wanted to go through, putting a license plate
3 proposal that would be successful, and I think DMV would
4 pretty much insist that you have to guarantee that you're
5 going to sell so many license plates. Otherwise it costs
6 DMV money so that makes them specialty.

7 I don't see why there wouldn't be any reason
8 why the RAB couldn't put a letter out as the RAB since
9 we're not federal employees. We're not bound by those kind
10 of strictures that Rob was talking about.

11 FACILITATOR KERN: Would there be at this
12 point consensus around putting a letter together? Are
13 people okay with doing something? Am I seeing heads
14 nodding yes? Any objections?

15 MR. BERMAN: I don't have an objection, but
16 I'd just like to discuss the point.

17 In this letter, it would seem to me you have
18 to sort of state your reasons, your interests, I mean, and
19 if you're parochial about it and you say we're the RAB and
20 we're worried about the cleanup actually occurring within
21 the limitations of the funds and we see this as a possible
22 way of adding funds to a possible deficit, you know, that's
23 a very parochial letter at one end of the spectrum.

24 The other end is not to mention anything at
25 all, but to say that we are involved in national parks and

1 we represent the public and we think that the national --
2 all national parks should have the opportunity to
3 participate in this license plate and just -- without
4 mentioning anything parochial whatsoever, and it seems like
5 in either case, we could do this as the RAB and not
6 necessarily as individuals because we can start out and say
7 we are involved with -- with the national park and we think
8 that the idea of having the possible of additional
9 conservation funds for the parks are -- would be a great
10 idea.

11 So, I mean, that's the other end of the
12 spectrum. I'm not saying whether we want to get something
13 in between in the letter, but if you go the general route,
14 it's a very short letter, it seems to me. It's a one
15 paragraph letter that says it's our understanding this is
16 under consideration and that we as a public organization
17 involved with a national park would be delighted if, in
18 fact, there was this opportunity eventually, and it would
19 just be, you know, maybe a five sentence letter.

20 MS. PASSERO: Sorry. I think we could do
21 both, because I think there's merit in grounding it in an
22 example.

23 MR. BERMAN: Right.

24 MS. PASSERO: And especially to appeal to
25 Carol Migden who's in San Francisco. It's going to mean a

1 lot more to her if there's a specific example.

2 We could do both because it does have
3 implications for setting a precedent for national parks
4 within the state and why they -- and using the Presidio as
5 an example why you shouldn't shoot yourself in the foot by
6 trying to come up with these narrow guidelines.

7 FACILITATOR KERN: Peter, Sara and Gloria.

8 MR. O'HARA: Michelle, I have a question
9 regarding the -- whether we can legally write a letter like
10 that because this is an organization that was set up by the
11 federal government to oversee cleanup of military bases.

12 We have the public as our constituency, but I
13 don't know whether the same prohibition about lobbying for
14 legislation applies to our organization the way it does to
15 the trust or a state agency.

16 I think that before we start writing a letter
17 as the Restoration Advisory Board, that ought -- that legal
18 question should be answered once and for all.

19 MR. BERMAN: Well, I can give you a little
20 insight into that. The purpose of that law is not to lobby
21 for legislation that has financial implications for you as
22 a -- in federal employment.

23 A program or the future of your job, and
24 that's the purpose of that restriction, and we're not -- we
25 are unpaid and we're not asking money -- for money for us,

1 so I think that legally, we're in a -- we have no -- no
2 restriction on that, but I -- I know, for example, that
3 cities have -- will -- city councils, you know, where
4 they're not paid will write all kind of letters all the
5 time. As long as there's no money implication that seems
6 to be okay.

7 MS. PASSERO: The only area -- maybe we
8 could just double-check our bylaws to make sure -- I think
9 several of you worked on that. I know you did, if there's
10 something that would keep us from doing that.

11 MS. YAROS: A quick phone call. We don't
12 have to guess. Michelle could probably find out.

13 MS. PASSERO: I can check. We're not
14 necessarily a legal entity like a governmental entity,
15 so --

16 FACILITATOR KERN: Sara, you had --

17 MS. SEGAL: Yeah. I missed the earlier
18 discussion. I don't know what the -- what created or
19 caused the judge to stop all the specialized license
20 plates, but I do know in Florida, they have -- I think it's
21 an Everglades one and there's a Save the Panther and a
22 manatee and all sorts of ones, but right now the question
23 before us is whether or not this -- to re- invigorate the
24 license plate program apparently after the judge who
25 stopped it, do we want to make it broad enough so that

1 should there be an opportunity for additional license
2 plates, the Presidio would be one of those.

3 MS. PASSERO: Right.

4 MS. SEGAL: That's what the immediate issue
5 is.

6 I was even thinking -- but August 16th
7 wouldn't work for me. Someone could go and speak before
8 the committee, too, and just -- just give -- not a letter.
9 Just say -- next week sounds too soon.

10 MS. PASSERO: Right.

11 MS. SEGAL: We're supporting the idea of a
12 broader statute. You said there were competing bills, too.

13 MS. PASSERO: Yeah.

14 MS. SEGAL: I think it's a good idea, and I
15 think if our bylaws don't prohibit it, I think a letter
16 would be --

17 MS. PASSERO: One of them is a tie-in with
18 cleanup and a rationale for why there's an interest on
19 behalf of the RAB, it ties in with the purpose of the RAB,
20 too.

21 FACILITATOR KERN: Well, I would propose
22 this since this came up late in our -- we haven't really
23 had too much time to review it.

24 If we -- between Michelle and myself and
25 anyone else who would like to write this five line letter

1 that we write it up and we'll send it around, and if anyone
2 has any objections at the same time, we'll investigate
3 whether there's any legal issue, and if there's no
4 objection, then I would say we would be empowered to send
5 such a letter.

6 If you read it and you find that you have any
7 objections, then we'll hold off on sending it.

8 Anybody -- I'm just trying to move this
9 along, but if there's a better idea -- Jan.

10 MS. MONAGHAN: If we could just get -- who
11 would we address the letter to, send that around in an
12 e-mail. We could just send that off as an individual, as
13 well.

14 MS. PASSERO: We would want to fax it in,
15 because the hearing's on the 16th. We'd want to fax it on
16 the 15th, so they would have it the day before. But I can
17 let you know.

18 FACILITATOR KERN: Gloria and John.

19 MS. YAROS: Who could not like it, but I
20 have just a couple questions.

21 Does anybody have any idea how much money
22 this would generate and how does it work? The price that
23 people pay above and beyond a regular plate, that amount
24 goes to the --

25 MS. PASSERO: The DMV gets a piece for

1 administration. It's not a ton of money. Right now
2 Yosemite as an example. They make one and a half to two
3 million dollars a year, but, you know, over time, that
4 could make a big impact.

5 I don't know if the Presidio over several
6 years, that will help.

7 MR. COOPER: That's a lot.

8 MS. YAROS: Do you get to keep those plates
9 for ten years?

10 MS. PASSERO: The people do who buy them.
11 John's right, there have to be 7,500 applicants to -- to
12 get it going for the DMV to do it, the way the
13 legislations's written right now, and then there has to be
14 a maintained interest in order for the program to continue,
15 assuming it's successful, but the individuals who purchase
16 it are able to keep it for the life of, you know, that car.

17 FACILITATOR KERN: John.

18 MR. BUDROE: Okay. It's going to make a big
19 difference to have a letter going and even
20 potentially -- and that's a really good idea, individual
21 testimony coming as the group rather than individuals.

22 The impact is much greater, so -- and I guess
23 it would be -- since questions have been raised, it would
24 probably be worth asking the question of Presidio Trust
25 legal, but I'm under the impression that this is a

1 community group that's recognized by the federal government
2 in the form of the Presidio Trust.

3 This is not an entity of the federal
4 government, so there would be no reason why we wouldn't
5 couldn't go ahead if -- and take a position on a bill
6 that's before the state legislature.

7 There shouldn't be any problem with doing
8 that, but it would be an advantage definitely to have a
9 letter go out from the Restoration Advisory Board, and even
10 if somebody can make the trip up to Sacramento and testify
11 at the committee hearings, that would be great.
12 It's really nice.

13 At the end of the bill summaries, there are
14 groups opposing, groups in support. The more groups that
15 you have in support, once the language in the bill gets to
16 where you want it, the better.

17 FACILITATOR KERN: Jan.

18 MS. BLUM: Since we're -- what's to
19 guarantee that the RAB will get the money? Isn't that
20 something that we have to work out with the trust?

21 MS. PASSERO: This is sort of step one.

22 MS. BLUM: Okay.

23 MS. PASSERO: And then continued pressures.

24 MS. BLUM: Legislative first.

25 MR. HULTGREN: On that point, I don't think

1 the RAB -- I don't think it should be earmarked for the RAB
2 at all for a couple reasons. One reason being that the
3 license plate program will go on almost in perpetuity. We
4 don't. The RAB will end at some point when the remediation
5 has been completed.

6 MR. BERMAN: You couldn't write the letter.

7 MR. HULTGREN: I don't think the sales
8 aspect of trying to sell something that's going to be used
9 for in a particular project in the Presidio is going to
10 sell much. People are going to say, "Well, wait a minute.
11 Isn't that the obligation of the Army or the trust or
12 something? Why should we buy a license plate for something
13 that's already funded? A hundred million dollars." So
14 those are my thoughts.

15 MS. PASSERO: The license plate would
16 actually say "the Presidio" and it would probably have --
17 it could have a symbol like what's on the presentations we
18 saw today, and so that's why likely when the Presidio --
19 the program that the Presidio would apply for, it would
20 likely be broader than just cleanup. It would likely be
21 cleanup, restoration and maintenance.

22 MR. HULTGREN: I think it should just go to
23 the trust. If we can make an understanding with the trust
24 that the money they get will be used for cleanup, that's
25 different, but I don't think it should be earmarked for

1 restoration, cleanup and whatever.

2 FACILITATOR KERN: Are there any objections
3 to the concept of writing a letter to preserve the option
4 of having this proceed down the road coming from the RAB?

5 Seeing no objections, we'll try to write such
6 a letter and send it around.

7 We now have a few moments for a break. I
8 have cut into my agenda significantly with this item, but I
9 think we're well prepared for our next item, so hopefully
10 -- I may ask to borrow a little bit more time after the
11 break.

12 (Recess taken).

13 FACILITATOR KERN: So I have a couple of
14 options here. We have letters from the cost tracking
15 administrative working group, been working on this for a
16 number of months.

17 An option would be to review this on the
18 record, talk about it or adjourn the meeting and have an
19 executive session to finalize the -- these letters before
20 sending them off.

21 There are two letters. One is to Craig
22 Middleton that talks about the general concern that we have
23 with projected overruns and other issues, and then more of
24 a detailed letter to Craig Cooper that itemizes some of the
25 issues that -- perhaps that need to be worked on in the

1 cost tracking.

2 So as my normal way of doing business is to
3 kind of open it up briefly under the record to talk about
4 how folks would want to handle it.

5 Do you want to deal with it out on the record
6 with Craig here or adjourn the meeting officially and --
7 and have an executive session where we talk about it?
8 Gloria.

9 MS. GEE: I thought from our committee
10 meeting, our last committee, I thought the idea was to
11 present it so that it would be as part of the official
12 record that there was this letter being considered, but
13 since we've already been through the e-mail, I think a lot
14 of review, I don't see really the point of, you know, doing
15 that again unless there's -- I thought we already had the
16 finalized version for review right now.

17 Is that correct?

18 FACILITATOR KERN: Yes.

19 MS. GEE: So -- I mean, shouldn't it be
20 really minimal discussion? Those that have interest have
21 gone through it by e-mail.

22 FACILITATOR KERN: That's my perception.
23 There are others that have different perception, but I
24 wanted to at least give folks the opportunity to --

25 MR. TRIGIANI: The ones who don't share your

1 perception, do they want more discussion?

2 FACILITATOR KERN: They're concerned about
3 talking about issues that -- that it might be
4 unprofessional to talk about these kinds of issues with
5 Craig present.

6 MS. TRIGIANI: Well, if it -- if it's being
7 put to a vote, that's one thing, but if there's going to be
8 a lot of discussion, then perhaps -- and I don't want to
9 delay it.

10 I know everybody's been working hard, but if
11 there's going to be significantly more discussion that's
12 already started privately and in committee, shouldn't it
13 continue there until this thing is completely final and
14 then the vote happens and is presented to the trust, to all
15 parties at the trust or -- I mean --

16 FACILITATOR KERN: It seems to me that we
17 have letters that if we pass them out, people would be
18 happy with them.

19 I mean, most people have reviewed them and
20 have commented on them, so I don't anticipate a lot of
21 discussion.

22 Dave.

23 MR. SUTTER: Yeah. My concern is that if
24 there is a lot of discussion as there has been at the
25 executive sessions and committee meetings, then we should

1 continue the discussions in an executive session.

2 Now, if -- if the group feels that, you know,
3 they would just simply accept the letters pretty much as
4 they've been worked out and hammered out by the working
5 group, then let's just continue this meeting and get it
6 over with, but if it's going to get into a lot of
7 discussion and we're talking about performance issues, et
8 cetera as we did in the executive committee meetings on
9 these topics, then I feel we should -- we should continue
10 those kinds of discussions in executive session.

11 FACILITATOR KERN: That seems fair.

12 Julian.

13 MR. HULTGREN: I'm kind of disappointed that
14 we don't have a recommended letter form in front of us
15 tonight.

16 FACILITATOR KERN: We have it. It's in this
17 package.

18 MR. HULTGREN: Do you have enough to pass
19 out?

20 FACILITATOR KERN: I certainly do.

21 MR. HULTGREN: It seems to me if we looked
22 at those -- just an initial feeling of whether anybody
23 wanted to discuss it further or make further
24 recommendations, then we could maybe decide whether to
25 continue tonight or put it off for a few weeks.

1 FACILITATOR KERN: That seems reasonable, as
2 well.

3 MR. SUTTER: I'm not suggesting we put it
4 off. I'm suggesting we come to a resolution on the letters
5 tonight.

6 FACILITATOR KERN: Right.

7 MR. SUTTER: The question is whether we do
8 it in open or closed session. I'm not suggesting we do it
9 another couple of weeks.

10 FACILITATOR KERN: So the letters are going
11 around. Review them, take a look at them. We'll see if
12 there's going to be much discussion. If there is, we'll
13 have an executive session.

14 MR. BERMAN: There's two letters coming
15 around, right?

16 FACILITATOR KERN: Yes.

17 MS. TRIGIANI: Do you need any moves or
18 motions?

19 FACILITATOR KERN: I would like to make sure
20 everybody has had a chance to finish.

21 MS. TRIGIANI: Oh, sorry.

22 MR. BERMAN: Can we make a comment if it's
23 appropriate?

24 FACILITATOR KERN: Sam.

25 MR. BERMAN: I participated in both of these

1 and agree with them personally. I'm satisfied with the
2 letters, but I think the signoff on the letter to Craig
3 Cooper should be from the RAB and not from the RAB Finance
4 Committee.

5 I don't think that we should send out letters
6 from committees at all, and especially since it starts off
7 -- the letter starts off by saying RAB members.

8 FACILITATOR KERN: Sara.

9 MS. SEGAL: You'll tell me if this is a
10 question that I either should know the answer to or not.
11 When you're talking about appendix D, I don't even
12 understand what that sentence means, page 2, blow-up.

13 MS. MONAGHAN: Appendix here is off a detail
14 on a project and rolls up.

15 MR. HULTGREN: I can't hear the answer to
16 that question.

17 MS. MONAGHAN: Appendix D is all the detail
18 on every project and it rolls up to appendix A, which is
19 the overview. So each level A, B, C, D, each level's more
20 detailed.

21 MS. SEGAL: Ah.

22 MS. MONAGHAN: And D is where the detail is,
23 which is why we addressed the detailed form.

24 MR. BERMAN: D also stands for devil.

25 MR. HULTGREN: Would that language be

1 readily understood by someone in construction?

2 MS. MONAGHAN: Well, it's based on the form
3 as the way the trust has deserved it.

4 MR. HULTGREN: This term "roll-up" and so
5 forth?

6 MS. MONAGHAN: Oh, yes.

7 MR. ANDERSON: I mean, your explanation that
8 it should go to other levels would seem to be an
9 appropriate completion of the sentence.

10 MS. SEGAL: As long as Craig understands it,
11 I'm happy.

12 MR. BERMAN: Yeah. I mean, we get reports
13 all the time with such specialized vocabulary that we can't
14 even find it in the landfill 10 report, and there were
15 reports that I could not find in a dictionary -- in a
16 scientific dictionary.

17 I had to go to a specialized geological --
18 geophysics dictionary.

19 FACILITATOR KERN: I do want to say that
20 with respect to the letter to Craig Cooper that we will
21 need to be in discussion with Craig.

22 The representative group will be meeting and
23 giving him additional details about these in case he has
24 questions.

25 Sara.

1 MS. SEGAL: I have one last question, the
2 young man, Alan.

3 FACILITATOR KERN: Alan Anchuta.

4 MS. SEGAL: Is he still employed?

5 FACILITATOR KERN: Yes.

6 MS. SEGAL: Just checking.

7 MR. HULTGREN: If that's the intention to
8 have a meeting, then it should be said here to that effect,
9 and I don't think it says anything about it. Just a simple
10 sentence "please contact us to arrange a meeting," whatever
11 the subgroup or something from the RAB. The other
12 thing that we might -- I don't know if you want to think
13 about this, too. The fourteen points are presented here
14 and maybe you have said this at the meeting, but I'd like
15 to hear a reply to these points from Craig, and I think he
16 is entitled to give us a reply.

17 I'm not trying to pick on him, but I think
18 it's appropriate for him to tell us yes, we can do this, or
19 no, we can't. But maybe you could do that if you have a
20 meeting.

21 FACILITATOR KERN: Right. I suppose what
22 I -- at this point --

23 MR. COOPER: Just the next quarterly
24 financial report is going out at the end of this week. So,
25 you know, when we had the meeting after I handed out the

1 first report, we had a meeting and I took notes. You guys
2 gave me a whole bunch of off-the-cuff comments at this
3 point. Some of them are in this letter and some aren't.

4 To the extent that I took notes on this, the
5 Q3 report addresses a lot of these comments, like we do a
6 variance report now, and a lot of zeros have disappeared.

7 We distributed the label. A lot of things
8 that you gave us feedback on report number one. I always
9 envisioned that each report will get better.

10 There might be some things here the monthly
11 thing is going to be a little troubling for me, but a lot
12 of these other things, they don't look all that hard, but
13 again, a lot of them I've already started to work on and
14 hopefully when we get report number two, it's going to be a
15 better report.

16 So that's my reaction to that letter, and I'm
17 much less concerned of letters to me. If you want to meet
18 with me, you can either -- you should send your letter and
19 not wait for me to, you know, send out report number two,
20 because then I'll have to look at it and decide which
21 comments were responded to and which not. Send your
22 letter. I send out report number two and then we'll have a
23 meeting about where things have gotten better and where
24 things, in your opinion, still need work.

25 The one to Craig Middleton, the only -- I

1 can't tell you what to write, but my recommendation would,
2 you know, say a little bit about, that we have made some
3 progress.

4 It just kind of goes right into the problems
5 and it doesn't -- it doesn't mention the fact that, you
6 know, over -- you know, over the last two years, there's
7 been a big increase as far as more recent financial
8 information and, you know, we hired the financial analyst,
9 and I think that it doesn't talk about any of that progress
10 part. It just kind of talks about the negatives. That's
11 mine.

12 FACILITATOR KERN: Thanks. Dave.

13 MR. SUTTER: Regarding the cost tracking
14 summary reports, we expect there's going to be a few
15 iterations before they're finally complete and finally
16 accurate. So we would suggest that you crank them out.

17 MR. COOPER: Send them out, right.

18 MR. SUTTER: As much of these comments that
19 you may not have seen before, although we've discussed
20 these things before.

21 MR. COOPER: Right.

22 MR. SUTTER: That you can include within
23 your deadline for getting this next iteration out, my
24 suggestion would be get as many things that you can get.

25 Regarding the progress. We recognize there's

1 progress. The letter says the reports are still deficient.
2 It doesn't say there has not been progress. It says the
3 reports are still deficient, and they still are. So it's
4 simply reflecting the state of play at this point.

5 FACILITATOR KERN: I move for a motion now I
6 think at this point from the group, and then we can discuss
7 it more regarding these letters.

8 MS. BLUM: I make a motion that the RAB
9 accept the letters as written with minor alterations as the
10 chairman and co-chair see fit and that we move to the next
11 step.

12 MR. BUDROE: Second.

13 MR. CALLANAN: Second.

14 FACILITATOR KERN: Is there any more
15 discussion about the letter?

16 Seeing no discussion, all in favor of the
17 motion, please raise your hand. Opposed?

18 MR. BERMAN: You didn't count Peter in your
19 count.

20 FACILITATOR KERN: Okay. Any abstentions?
21 (One abstention).

22 FACILITATOR KERN: All right. Thank you.
23 Motion carried.

24 Are there any other -- yes, Julian, please.

25 MR. HULTGREN: I think we should also give

1 approval to the group that is going to -- that we hope is
2 going to meet with Craig Middleton.

3 In other words, I think we've kind of --
4 generally it would be the same group that has dealt with
5 the financial questions, but I don't think that group has
6 ever been formally approved by the RAB, and I think it
7 should be at this point so that we'll be able to go to
8 Middleton and say that they are the group appointed by the
9 RAB to discuss these issues.

10 FACILITATOR KERN: Very well. While we have
11 everyone here, so far the group that has been meeting as a
12 core group to discuss this has included Dave and Mark and
13 Jan and myself and others have participated, Gloria and Sam
14 have participated in making comments.

15 So if you would like to designate a group
16 formally, who would you see? I did -- I think Gloria's
17 actually added quite a bit of comments. It would be nice
18 to have her along if she would like. So we have four of us
19 and perhaps five.

20 MR. HULTGREN: That would be five with
21 Gloria, and what about Sam? Would he be --

22 MR. BERMAN: I think the group is already
23 too big. If you draft me, I'll go, but it's better to make
24 it smaller, personally.

25 MS. GEE: I think you could have a pool like

1 a subgroup, and depending on when the schedule is that's
2 convenient to Middleton, it might be just three of the
3 people that will be available to do it.

4 So you can pick from that group, you know.

5 MS. PASSERO: It seems like three people
6 would be sufficient.

7 FACILITATOR KERN: All right. Julian, do
8 you want to make a motion or --

9 MR. HULTGREN: I'm just trying to think
10 here. I'm wondering if we have five -- a group of five and
11 then three are selected, how are those three to be
12 determined is the problem? And --

13 MS. PASSERO: Probably by who's available,
14 right?

15 MR. HULTGREN: Why don't we have three and
16 then name two as substitutes or --

17 MS. TRIGIANI: Alternates.

18 MR. BERMAN: Alternates.

19 MR. HULTGREN: And if that's the case, I
20 would move that we approve a group to meet with Craig
21 Middleton, and that group consists primarily of Doug and
22 Mark and Jan with alternates being Sam and Gloria.

23 MR. BERMAN: I think you have to have Dave
24 in there.

25 MR. SUTTER: Thanks for giving me a break.

1 FACILITATOR KERN: I'm sure the reporter
2 blocks his view of you, Dave.

3 MS. BLUM: Jan Monaghan.

4 MR. HULTGREN: Let me amend that motion that
5 the group consists of Jan Monaghan, Dave Sutter, Mark
6 Youngkin and Doug Kern with -- group of four with an
7 alternate of Gloria Yee, unless Sam wants to be an
8 alternate.

9 MR. BERMAN: No. I think you got too many
10 already.

11 MR. HULTGREN: That's enough. Okay. That's
12 it. Four designated and one alternate. I so move.

13 FACILITATOR KERN: And I'll second.

14 Is there any discussion? All opposed say
15 aye? All in favor, please say aye. Opposed? Motion
16 carried.

17 Thank you, Julian.

18 Are there any other items for us tonight? As
19 far as action items, I'm to contact NRDC about the Freedom
20 of Information Act.

21 MR. BERMAN: I think you need to send the
22 final letters out to people, too, because there are some
23 minor changes.

24 FACILITATOR KERN: Yes.

25 MR. BERMAN: I think that's another action

1 item.

2 FACILITATOR KERN: Right.

3 MR. COOPER: I'd like to say I'm very
4 disappointed with the letter to Craig Middleton. I don't
5 think it's right.

6 MR. BERMAN: Are you disappointed because
7 you think it has -- it has a pejorative connotation on your
8 department?

9 MR. COOPER: I don't think -- I don't think
10 it's accurate in what's gone on in the last two years. So
11 if you just pick it up and read it, I don't think it's an
12 accurate summary of what's happened in the program in the
13 last couple years and I'm extremely disappointed.

14 MS. PASSERO: I think the way the resolution
15 was passed, there's room for minor changes from the chair
16 and co-chair.

17 FACILITATOR KERN: Yes.

18 MS. WRIGHT: I abstained because A, I
19 haven't been here for a while, but I also have been on the
20 RAB long enough to know a little bit about the issue, and
21 when I read of the letter, I sort of agree with Craig, but
22 I don't want to -- I don't want to undermine any of the
23 work that's been done here.

24 I just wanted to add that if Jan's motion can
25 include some sort of acknowledgement of progress, I'd feel

1 more comfortable with it, but again, my apologies if I'm
2 being disrespectful for the process that I've missed, so --
3 but as someone who hasn't been here for a while and seeing
4 the letter for the first time tonight, I think maybe if
5 some of those minor modifications could include some of
6 Craig's comments tonight, I'd be more comfortable with it,
7 but I will stop there.

8 FACILITATOR KERN: Julian.

9 MR. HULTGREN: For your thinking, if you're
10 going to make minor modifications, you might look at the
11 second paragraph in the last sentence which says: "Despite
12 two years of effort." You might stick a sentence in before
13 that saying "there has been successful improvement of the
14 system. However, despite two years of effort, the system
15 is sill inefficient."

16 MR. BERMAN: And if you want -- in one of
17 the drafts that I wrote up, I included two sentences that
18 said that, so if you want to, you know, have it written out
19 in fairly careful way pointing that out, if you still have
20 my draft, there is that language in there.

21 FACILITATOR KERN: Okay. Well, Craig, so you
22 know, this is -- this particular issue has not -- was not
23 developed to be unfair and I can tell you that a letter --
24 a much different letter was put out initially, and there
25 are some strong feelings and much of those feelings were

1 directed at me about the initial letter that I put out.

2 But the RAB has a way of trying to
3 communicate something that they believe in strongly, and
4 there was a great amount of desire within the group to
5 project a strong sentiment about this, and I respect what
6 the group is doing.

7 It is not intended to be a, you know --
8 suggestive that there has not been progress. It's looking
9 to what needs to be done to finish it.

10 So I think --

11 MR. COOPER: Then put that message in the
12 letter. That's all.

13 FACILITATOR KERN: Right.

14 MR. COOPER: If that's what you meant to
15 say, that's not what I read. That's my only comment.

16 MS. PASSERO: I'd be okay if the minor
17 amendments made included Sam's sentences, but, you know,
18 it's up to your discretion.

19 FACILITATOR KERN: All right. Well, we have
20 the letter, we have our vote and I will -- I'll be talking
21 with some of you individually, but we have the letter, we
22 have the vote.

23 Are there any other items for discussion for
24 tonight?

25 MS. SEGAL: I just wanted to say -- on a

1 positive note, on the Presidio Post that just came out to
2 everybody, there's -- they talk about the Website and the
3 cleanup program, and I really think whoever puts it
4 together -- and I know George is the construction
5 manager -- it's a really nice Website and gives some really
6 nice current information.

7 So if RAB members haven't gone on the Website
8 in a while, park projects is really a nice job. So thank
9 you.

10 MR. BERMAN: And as long as you're
11 mentioning the Presidio Post, the calendar still does not
12 have the RAB meetings listed.

13 FACILITATOR KERN: All right, then. Without
14 objection, the meeting is adjourned.

15 (The meeting concluded at 9:18 PM).

16 ---oOo---

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN FRANCISCO)

3

4 I, the undersigned, hereby certify that the
5 discussion in the foregoing meeting was taken at the time
6 and place therein stated; that the foregoing is a full,
7 true and complete record of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the foregoing
10 meeting and caption named, or in any way interested in the
11 outcome of the cause named in said action.

12

13 IN WITNESS WHEREOF, I have
14 hereunto set my hand this
15 _____ day of _____,
16 2005.

17

18 _____
19 Mark I. Brickman CSR No. 5527

20

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PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS
TUESDAY, SEPTEMBER 13, 2005
OFFICER'S CLUB, BUILDING 50
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR

License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator

Craig Cooper

Brian Ullensvang

Jim Ponton

Sara Segal

Gloria Gee

Sam Berman

Jan Monaghan

Julian Hultgren

John Budroe

Gloria Yaros

Michelle Passero

Jan Blum

Mary Trigiani

David Sutter

Bob Boggs

Julia Cheever

Jack Luikart

Tony Di Stefano

Devender Narala

Edward Callanan

Karen Cleek

---o0o---

BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on September 13, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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AGENDA

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| 2) | Agenda Discussion and Approval: | 4 |
| 3) | Announcements and Old Business: | 5 |
| 4) | Committee and Working Group Business not discussed | |
| 5) | Reports and Discussions: | 7 |
| 6) | Leave of Absence request: | 70 |
| 7) | Adjournment: | 100 |

1 FACILITATOR KERN: Welcome everyone.

2 This is the regularly scheduled meeting of the Presidio
3 Restoration Advisory Board. I'd like to welcome to
4 Presidio board and their contractors, the National Park
5 Service, our regulatory community and our community RAB
6 members tonight.

7 I think we may have some people coming in
8 late due to the marathon and the traffic issues that may
9 be slowing up those people. I'm not sure, so we may
10 have to wait for some of the voting issues, but before I
11 begin, are there any changes or additions to the agenda
12 tonight?

13 I have some possible additions for after
14 reports and the discussions.

15 Our ongoing topic area, which is our
16 response to the feasibility study, response to our
17 comments. I know it's been quite sometime, but I have
18 something to discuss about that.

19 We have some landfill 8/10 questions,
20 which we may be able to address in that actual report,
21 your report.

22 MR. COOPER: Okay.

23 FACILITATOR KERN: We want to check on
24 Mountain Lake, some of the possible meetings that are
25 going on, financial data and previous transcripts from

1 these meetings. I wanted to check on this. So I have
2 some notes that we'll cover at some point.

3 Any announcements or old business? Sam.

4 MR. BERMAN: This is not an announcement.
5 It's actually an appeal. With winter coming, I was
6 wondering if we might be able to replace these
7 decorative light bulbs in here with something that would
8 put out a little bit more light.

9 If you replace those with compact
10 florescents, the wattage is the same, so you wouldn't
11 use up any more kilowatt hours, but you'd get four to
12 five times the amount of light, and we could actually
13 see, and soon it will be dark.

14 MS. YAROS: I second that.

15 FACILITATOR KERN: Well, I can -- I can
16 attest that I can barely read my own thing here, so,
17 yeah.

18 MR. ULLENSVANG: It might help if someone
19 could turn the side lights on tonight.

20 MR. BERMAN: Yeah, but --

21 MR. ULLENSVANG: It wasn't meant to
22 address your concern, but --

23 MR. BERMAN: Pardon?

24 MR. ULLENSVANG: It wasn't meant to
25 address your concern regarding energy use, but --

1 MS. PASSERO: Temporary solution.

2 MR. BERMAN: But we still could use some
3 more light, even with the wall lights on.

4 MS. YAROS: It does feel more like a
5 nightclub in here.

6 FACILITATOR KERN: Maybe we should have
7 all the amenities for a nightclub.

8 MR. ANDERSON: Lights work on dimmers if
9 dimmers are a necessity.

10 MR. BERMAN: They do, but they cost more.
11 I mean, we're talking, you know, twenty to thirty bulbs
12 here. Perhaps the trust could find a way of coming up
13 with \$50.00 for lamps.

14 MR. COOPER: I'll ask. You know, I'll
15 ask, but, you know --

16 FACILITATOR KERN: All eyes are turning
17 to you, Craig.

18 MR. COOPER: Under the National Historic
19 Preservation Act, the act of changing a light bulb is
20 not as simple as you think.

21 MR. ANDERSON: What if we break all the
22 bulbs.

23 MR. BUDROE: Then you'll be busted for
24 destroying federal property.

25 FACILITATOR KERN: We'll have to leave

1 this important lighting issue to Craig, and moving
2 along, any other announcements in addition to the
3 lighting?

4 All right. Mark is either going to be
5 late or going to miss the meeting due to work
6 commitments tonight. I'm trying to recall. He usually
7 has the -- the meeting notes from the committee meeting.

8 Was there anyone there that can give us a
9 rendition what we discussed?

10 Let's put that off briefly until he
11 arrives or -- I think we're going to have to wait on the
12 leave of absence for additional members to arrive before
13 we discuss that.

14 MR. ULLENSVANG: I think we may have
15 reached ten or is it eleven?

16 FACILITATOR KERN: I think it would be
17 eleven.

18 Let's move to the to the reports and
19 discussions. Craig.

20 MR. COOPER: Okay. I have my regular
21 update. I want to go on through it, kind of emphasize
22 what's been happening in the last four weeks.

23 Landfill E, really nothing new to report.
24 The trust is still working on it. On this feasibility
25 study, it's being prepared by CH2M Hill. Chris Nelson's

1 the project manager and has looked on my draft and Hill
2 is incorporating Chris' comments and hopefully the next
3 draft will be ready to send to Brian at the park
4 service.

5 FACILITATOR KERN: Would you like us to
6 ask you questions during the thing?

7 MR. COOPER: Yes. Yes.

8 FACILITATOR KERN: I have a question on
9 this.

10 MR. COOPER: Mm-hmm.

11 FACILITATOR KERN: Can you describe what
12 sort of an alternative that the trust is preferring at
13 landfill E yet?

14 MR. COOPER: No. The next -- I mean, the
15 RAB requested the first version of the landfill E,
16 though we do not have a recommended remedy.

17 FACILITATOR KERN: Right.

18 MR. COOPER: You'll basically be able to
19 see the direction the feasibility study's going --

20 FACILITATOR KERN: Right. --

21 MR. COOPER: When it comes out, but --

22 FACILITATOR KERN: I'm just -- I have
23 these questions about a number of sites and it just --
24 it usually comes up when the document does come out that
25 there is a sense of what alternative is preferred.

1 MR. COOPER: Mm-hmm.

2 FACILITATOR KERN: So --

3 MR. COOPER: I mean, you know, as we are,
4 you know, we're looking at that hybrid alternative.
5 We're looking very hard at that one.

6 FACILITATOR KERN: Okay.

7 MR. COOPER: We've put a lot of effort in
8 putting it together, so hopefully it will pan out.

9 FACILITATOR KERN: All right. That's --
10 that's what I needed.

11 MR. COOPER: Okay. I'll keep going.

12 Another feasibility that's in the works is
13 on landfills 8 and 10. The -- EKI is our consultant on
14 this particular feasibility study. They've produced a
15 draft feasibility study that was looked at internally
16 and then the -- the trust and the park service are
17 basically working out some details regarding the cover
18 alternative for landfill 10 in this feasibility study,
19 and so before we release it to the regulators, we want
20 to be very clear about the cover alternative, what --
21 that it's -- you know, what we mean by that, what it
22 will look like, what its -- its important construction
23 aspects of it, you know. Is it going to be stable or
24 not?

25 We don't want to recommend something, you

1 know -- so basically doing some -- some remedial design
2 type -- type looks at the cover alternative in advance.

3 Mm-hmm.

4 MR. ANDERSON: Is EKI an engineering
5 firm, also? I mean, would they --

6 MR. COOPER: They're teamed with Golder,
7 yeah, so all the stability analysis type thing, the
8 detailed stuff, EKI's really depending on Golder to do
9 that work.

10 MR. ANDERSON: Okay.

11 MR. COOPER: Yeah. So anyway, that's
12 caused a delay in us getting the draft feasibility study
13 out to you all and the regulatory agencies, and so I
14 think it's going to be a couple more months before we're
15 able to reach agreement with the park service on this
16 particular alternative until we can get the feasibility
17 study out there.

18 FACILITATOR KERN: On 8 and 10, can you
19 describe the same question for me for E? Can you talk
20 about 8 and 10, what were the directions?

21 I mean, this is a question --

22 MR. COOPER: I think I talked about that
23 at a previous -- maybe it was a committee meeting --

24 FACILITATOR KERN: I don't know. I think
25 8 and 10 have been out there for a while sort of

1 unresolved.

2 MR. COOPER: What we're looking hard at
3 right now in the feasibility study is a cover
4 alternative for 10.

5 If it -- if we can make it stable and look
6 good and et cetera, and there's just so much volume in
7 that particular landfill, and the clean closure
8 alternative looks at least to this point pretty
9 expensive.

10 And then for 8, it's -- we're looking at,
11 you know, both clean closure or cover and/or maybe a
12 hybrid, you know, associated with that.

13 FACILITATOR KERN: A hybrid?

14 MR. COOPER: A hybrid.

15 FACILITATOR KERN: And a hybrid meaning
16 partial restoration?

17 MR. COOPER: (Nods head affirmatively).

18 MS. YAROS: I have to admit my
19 forgetfulness now. For instance, I don't remember what
20 we did for 8 and 10 to even have an opinion about
21 whether I think a cover is acceptable or not acceptable.

22 MR. COOPER: Mm-hmm.

23 FACILITATOR KERN: Well, at -- landfill 8
24 is the site where there's cemetery that we've been on
25 and off talking about the issues with the rubble over

1 the top of the cemetery.

2 MS. YAROS: Yeah.

3 FACILITATOR KERN: And I guess for six or
4 seven years, we asked for more investigation. The trust
5 did more investigation at both sites --

6 MR. COOPER: Yeah.

7 FACILITATOR KERN: -- and there has been
8 some contamination found at the site in the soil.

9 MR. COOPER: Mm-hmm.

10 FACILITATOR KERN: But we haven't really
11 seen -- haven't really discussed what the possible --
12 where the trust might be headed with 8.

13 Given the considerations of the cemetery,
14 there's always been some feedback coming back oh, well,
15 we can't really touch that because we might get a bone
16 or bodies.

17 So there's a lot to be discussed there, I
18 think, still with the cemetery.

19 MR. COOPER: Okay. So --

20 FACILITATOR KERN: At 10, it's a bigger
21 site. One of the -- it's mostly building rubble, as I
22 understand it.

23 One of the alternatives is to cut the
24 slope back and have the Lobos Creek valley kind of
25 ascend more gently up there and cover it with sand.

1 That's been one of the alternatives that has been
2 discussed, but I'm not sure if that's what's under
3 discussion now with the park service or not.

4 MR. COOPER: Various configurations of the
5 cover alternative, yeah.

6 So as the last bullet says, you know,
7 before we send it out, you know, we'll do a more -- you
8 know, pretty formal presentation on this -- we were
9 requested to do a presentation about the detailed study.

10 Then you'll know specifically what the
11 trust is recommending for both landfills 8 and 10 and
12 then it goes, you know -- at that point in time, it will
13 go to the regulatory agency and to RAB 4.

14 Mountain Lake. What -- we talked to Chris
15 Nelson, the project manager there. We're working on the
16 remedial design. Because we know it's going to be
17 pretty complicated. We put together a field sampling
18 plan to hold close some data gaps regarding putting
19 together our preliminary remedial design,
20 specifically with respect to pesticides and some other
21 aspects of the sediments in Mountain Lake, the
22 contaminated sediments, and we've met with the
23 regulators on this and Bob has sent us a letter and
24 we're -- we've revised the plan and we hope to implement
25 it at the end of September.

1 FACILITATOR KERN: I don't know if you're
2 going to cover this.

3 MR. COOPER: This is about the grant.

4 FACILITATOR KERN: That's what I was
5 going to --

6 MR. COOPER: I think I announced last
7 month at the last meeting that Caltrans has informed us
8 that -- that -- that Mountain Lake is eligible for a --
9 a TEA grant, as they're called, in the amount of
10 approximately \$650,000 and so we have -- I've contacted
11 the Caltrans folks and they've assigned a project
12 manager to the project and we're organizing a kind of
13 kickoff meeting with the Caltrans people on September
14 23rd, and so that's that.

15 I mean, what -- at this kickoff meeting,
16 you know, we -- the trust will present information
17 regarding kind of the history of Mountain Lake, its --
18 its status from a restoration perspective, what the --
19 that's the whole goal.

20 It's a restoration project which has hit a
21 remediation speed bump, basically, and it will tell them
22 about the remediation program and how the remediation
23 program works in the Presidio and -- just because
24 they're committing folks on Mountain Lake.

25 These are all folks -- actually, their

1 project manager is somebody that's worked -- he's the
2 Caltrans rep on Doyle Drive, but he really doesn't know
3 anything about the remediation program on Mountain Lake.

4 We really see this kickoff program about
5 educating the Caltrans people about the -- and the
6 environment of Mountain Lake and what we're dealing
7 with, and maybe brainstorming with a few -- at least the
8 trust's, you know, recommendations on project scope for
9 the grant money, and, you know, our number one
10 recommendations, obviously, is that we reroute the storm
11 water directly into the City sewer system, but we'll see
12 how they react to that.

13 We have some other i -- and based on -- I
14 have a whole priority list of how to spend the grant
15 money, and so we're going to make several
16 recommendations to the Caltrans people, but that's my
17 number one recommendation.

18 I know that's your number one
19 recommendation, also, and -- but we need to, you know,
20 check to see if it's grant eligible and all those kinds
21 of things, so --

22 FACILITATOR KERN: I don't know if other
23 folks have questions. If you do, I also have questions
24 about this.

25 MS. PASSERO: Is the project manager the

1 same gentleman that was helping --

2 MR. COOPER: David Yam? No. I think
3 he's going to come to the kickoff meeting. I probably
4 expect him -- he may or may not -- there will be a whole
5 series of project level meetings after this kickoff
6 meeting.

7 His name is -- I can't think of it.
8 Neidahl? Do you remember, Brian?

9 MR. ULLENSVANG: (Nods head negatively).

10 MR. COOPER: I haven't met him in person.
11 It's Neidahl or something.

12 FACILITATOR KERN: Yes.

13 MR. HULTGREN: Has anyone checked with
14 the City about tapping into their sewer system; and
15 second, has anyone done an engineering study to see how
16 feasible it is?

17 MR. COOPER: As far as checking with the
18 City, at a preliminary level, the City says, yeah,
19 that's doable.

20 We receive storm water runoff along other
21 segments of, you know, Highway 1, so it wouldn't be all
22 -- all that unusual to accept storm water runoff from
23 this particular segment of Highway 1.

24 So that's not just a formal request, just
25 a phone call.

1 And then the technical feasibility with
2 respect to whether it can flow by gravity or any other,
3 that's not -- we're going to start to look into it.

4 MR. HULTGREN: Because it looks like it's
5 uphill from the -- from the spot next to the lake to
6 the -- to Lake Street.

7 What are you going to do about that?

8 MR. COOPER: Yeah. We need to take a
9 look at that and the location of where -- the elevation
10 of the pipe that we'll be tying in to and see if we
11 can -- you know, it makes the project a lot cheaper if
12 we can make the water flow by gravity.

13 FACILITATOR KERN: David.

14 MR. SUTTER: Again, Craig, this grant
15 does not cover remediation costs at all. That's a whole
16 separate --

17 MR. COOPER: That's my preference would
18 be to keep it out of the lake sediment cleanup. When --
19 I first started thinking that's a good idea, but I think
20 we've got plenty of important projects to do before the
21 storm water management -- we've all talked about in that
22 it makes sense to fix the storm water problem before we
23 remediate the sediments.

24 So I really want the grant money to be
25 focused on that -- that problem first.

1 MR. PONTON: That's what it was earmarked
2 for.

3 MR. COOPER: Yeah.

4 MR. SUTTER: I guess my question is the
5 grant money is limited to storm water resolution.

6 MR. COOPER: Mm-hmm.

7 MR. SUTTER: It is not addressing
8 remediation at all; right?

9 MR. COOPER: Correct. That would be my
10 goal for it to handle --

11 MR. SUTTER: That isn't my question. My
12 question is: The grant itself excludes remediation?

13 MR. COOPER: Does it exclude remediation?
14 I don't know. That's on the agenda for them to explain
15 more about it. I don't know.

16 I doubt it, you know, but --

17 MR. SUTTER: You doubt that it excludes
18 it, you mean?

19 MR. COOPER: That it excludes it, yeah.

20 MR. SUTTER: So you might mix and match
21 if it was in the trust's interest?

22 MR. COOPER: Right. Make sure we don't
23 give any more back.

24 MR. SUTTER: No, no, Mixing the money
25 from one purpose to another.

1 MR. COOPER: Oh, you would not recommend
2 such a thing?

3 MR. SUTTER: No, no, What I'm saying is
4 that -- well, I'm asking, I guess. I'm sorry if I'm
5 confusing you.

6 You would hold it open from the trust's
7 perspective to potentially use money from this grant for
8 remediation if it was possible and if it was in the
9 interest of the trust?

10 MR. COOPER: Yeah.

11 MR. SUTTER: Okay. Thank you.

12 FACILITATOR KERN: Sara.

13 MS. SEGAL: You mentioned a Caltrans
14 person on Doyle Drive.

15 Have you had a TEA grant before or is this
16 the first?

17 MR. COOPER: This -- has the trust
18 received a TEA grant? I don't think so. I don't think
19 so.

20 Has the park service received one?

21 MR. ULLENSVANG: Not to my knowledge.

22 MR. COOPER: This is new to us, yeah.
23 Maybe after this kickoff meeting, you know, the people
24 that attend the meetings after the kickoff one might be
25 more multi-disciplinary, you know.

1 We might bring in a transportation person.
2 I don't know, but no, we don't have -- this is our first
3 time.

4 MS. SEGAL: Was it your shop -- who
5 actually did the application?

6 MR. COOPER: Caltrans District 4.

7 MS. SEGAL: Did the application for the
8 TEA grant on your behalf?

9 MR. COOPER: Right. Right.

10 FACILITATOR KERN: Jerry.

11 MR. ANDERSON: Do you actually know if
12 you are the grantee or is Caltrans the grantee?

13 MR. COOPER: Grantee being -- the
14 grantee's the party that gives the money; right? The
15 grantee's the party that receives the money.

16 MR. ANDERSON: Right.

17 MR. COOPER: I fully expect to be the
18 grantee and they are the grantor.

19 MR. ANDERSON: Has anyone told you that
20 you are -- have that status?

21 MR. COOPER: Well, no, but that would be
22 a cruel trick. At the kickoff meeting to say, "Oh, by
23 the way, Caltrans -- in other words, when does the
24 \$650,000 show up?"

25 MR. ANDERSON: Well, it's certainly not

1 obvious to me that it wouldn't go to some division of
2 Caltrans for their use in addressing this problem.

3 MR. COOPER: If -- oh, if the money --
4 that's not the way I understood it -- we had the one
5 scoping meeting with David Yam. He made it sound like
6 the money would be transferred from -- from Sacramento
7 -- from Caltrans -- I don't know if it's Caltrans
8 Sacramento or Caltrans -- you know.

9 MR. ULLENSVANG: The way I've heard it
10 described is it comes to us. It could have been a grant
11 within Caltrans which was then going to be provided to
12 the trust or it could have been a grant to the trust.
13 It was necessarily one way the other.

14 MR. COOPER: Mm-hmm.

15 MR. ULLENSVANG: But I'm sure we'll learn
16 that.

17 MR. COOPER: Right.

18 MR. ANDERSON: If the money is going to
19 be used, for example, engineering --

20 MR. COOPER: Right.

21 MR. ANDERSON: -- or constructing this,
22 it seems to me they're like the people that do that.

23 MR. COOPER: I'm sure they do it a
24 hundred times at other projects, so it would make sense
25 to use Caltrans as our contractor for the design.

1 I mean, I'm probably getting ahead of
2 myself thinking this through, but that's kind of logical
3 for me, and of course I don't want the design money --
4 the design to suck up all the money, obviously.

5 We want to make sure we get money for the
6 implementation design, too.

7 FACILITATOR KERN: Can you tell us who's
8 invited to the meeting?

9 MR. COOPER: For the kickoff meeting,
10 we -- Caltrans, the trust, the park service and the
11 Golden Gate GGNPC, the national park. Carol Parks is
12 coming.

13 FACILITATOR KERN: Are there attorneys
14 coming to the meeting?

15 MR. COOPER: No.

16 FACILITATOR KERN: So it seems to me that
17 one of the things we talked about is, you know, the
18 vehicle of transferring the money.

19 Is that -- I mean, maybe you could tell us
20 what the agenda is and if that's like on the agenda.

21 MR. COOPER: The first two agenda items
22 are the educational agenda items. Carol Prince is going
23 to talk about her role at site restoration and I'm going
24 to talk about remediation.

25 And then I think we had an agenda item

1 on -- wait. Scoping, brainstorming projects, I think I
2 called it, and the trust will, you know, kick out the
3 ones, you know, that we'd like to see happen.

4 And then I think the very last agenda item
5 is this funds transfer document is what I called it,
6 and -- and how -- how do we do that, you know. Is it
7 going to be a cooperative agreement? Is it going to be
8 a pure grant? What do they look like?

9 I'm assuming they've done this before so
10 we could bring some templates or some examples of how
11 they provided money to other grantees.

12 FACILITATOR KERN: I guess part of what's
13 in my mind about this is that even you mentioned that
14 you were going to do some education about the
15 remediation program --

16 MR. COOPER: Mm-hmm.

17 FACILITATOR KERN: -- but this is not
18 really about remediation, so are we trying to get them
19 to understand that they're going to need to put in more
20 for their remediation or --

21 MR. COOPER: No.

22 FACILITATOR KERN: -- are they going to
23 bring a remediation specialist to the meeting? I mean,
24 that's --

25 MR. COOPER: I think it's just to, you

1 know -- I'm not going to say, "Oh, and by the way, you
2 know, here's all the data show you're a liable PRP."

3 FACILITATOR KERN: Exactly.

4 MR. COOPER: That's not the point at all.

5 It's just to kind of explain, you know,
6 some -- the detail regarding why is it necessary to
7 reroute the storm water and that -- that context, yeah.

8 I'm going to try to avoid any type of PRP
9 discussion, because that will be attorneys and I think
10 it would sour the conversation.

11 FACILITATOR KERN: Do you think there'll
12 be an opportunity to invite members from this group to
13 any of the future meetings?

14 MR. COOPER: I think so. We can talk to
15 them about that and, you know, I think -- oh, that's
16 another agenda item for next meetings and, you know,
17 who -- who to bring and I think once we have this first
18 one, we'll be able to sort out what the next agendas are
19 and we'll definitely have a conversation about who --
20 who should come and listen in and stuff like that.

21 So I will raise that if a RAB can bring
22 the observer or something like that to a future meeting.

23 MR. ULLENSVANG: There might be other
24 groups. Friends of Mountain Lake --

25 MR. COOPER: Right.

1 MR. ULLENSVANG: -- that would have an
2 interest if they could get there.

3 MR. COOPER: Right.

4 FACILITATOR KERN: Sam.

5 MR. BERMAN: I have a small detail
6 question. Will this project manager be paid out of
7 general Caltrans funds or is he going to charge his time
8 to the grant?

9 MR. COOPER: That's a good question. I
10 mean, my preference -- something that we should talk
11 about during this kickoff meeting -- is that if -- if
12 we're going to -- you know, general meeting attendance
13 wouldn't be grant eligible.

14 If they work on remedial design, that
15 could be grant eligible, but I'm -- I'm assuming -- I'm
16 not going to charge my salary to the -- you know, to the
17 grant money.

18 I think that we should all kind of agree
19 that the grant money is really for the grant project and
20 not for overhead. That's going to be my position. I
21 hope Caltrans agrees.

22 MR. BERMAN: Will you bring that up as an
23 agenda item?

24 MR. COOPER: Yeah.

25 MS. CLEEK: Can I ask a further question

1 about that?

2 FACILITATOR KERN: Yeah.

3 MS. CLEEK: That means the project
4 manager is funded out of ongoing Caltrans funds?

5 MR. COOPER: Right.

6 MS. CLEEK: What other things like that
7 would be covered out of the normal -- or not covered out
8 of grant funds that they would pick up? I mean,
9 anything substantial or --

10 MR. COOPER: Yeah. I don't know. I
11 mean, use of their -- I don't know. Maybe as the
12 project scope starts to firm up, we can see what kind of
13 in kind services Caltrans can bring to the table, but,
14 yeah.

15 FACILITATOR KERN: Let's go to Michelle
16 and then over to Dave.

17 MS. PASSERO: This is a related question.
18 Have you -- are you aware of other TEA grants going to,
19 I guess, other organizations and how that money has been
20 used?

21 It might be something that's sort of
22 informative to see how even the money is disbursed. I
23 don't know if the level of detail will be provided, but
24 it would be sort of helpful to see if information is
25 existing.

1 MR. COOPER: I should probably do a
2 Google search first of all to see if there's something
3 on the Web. I'm going to ask them at the meeting for
4 examples.

5 MS. PASSERO: You'd think that they might
6 have some internal guidance, anyway, to just how they
7 handle grant money, TEA grants.

8 MR. SUTTER: Yeah, Craig. I'd just like
9 to mention as a cautionary note that if you consider
10 having Caltrans do the actual design for the, you know,
11 storm water runoff distribution, keep in mind that
12 internally Caltrans generally -- it costs them two to
13 three times more to define something than somebody else.

14 MR. COOPER: Oh, really?

15 MR. SUTTER: Oh, yeah. From my
16 experience.

17 MR. COOPER: Um.

18 MR. SUTTER: So if you're seriously
19 considering that they want to do that, that you get an
20 estimate from Caltrans and then get an estimate from an
21 engineering consultant.

22 MR. COOPER: Okay.

23 FACILITATOR KERN: Jerry.

24 MR. ANDERSON: I --

25 MR. COOPER: I'm sorry. I got a question

1 for Dave on that.

2 Did Caltrans do then -- did they sub it
3 out? Is that why it was so expensive or was this
4 in-house?

5 MR. SUTTER: No. They did the design
6 themselves.

7 MR. COOPER: In-house? Okay.

8 MR. SUTTER: They've got this huge
9 engineering, you know, because that they have to keep --
10 keep employed. If you know what I mean.

11 MR. ANDERSON: Jim might know more about
12 this than I do, but it's my understanding that Caltrans
13 has an obligation under clean water laws to keep the
14 runoff out of surface waters, but that it's my
15 understanding, also, that programs to implement this
16 have not progressed very much, if any.

17 MR. PONTON: The only water body that I
18 know that is restricted from having runoff from roadways
19 is Lake Tahoe.

20 If -- if you traveled 101 north through
21 Marin, all the overpasses in San Rafael drain to surface
22 water bodies that are there, and it's not unique to the
23 Presidio, and it's my understanding that Caltrans in
24 retrofitting or in their design work has to use best
25 design practices in ways to design storm water runoff,

1 but they're not required to retrofit the entire state.
2 That would break them. So that's my understanding how
3 it works.

4 So this is an example -- it was my
5 understanding from the TEA grant process -- I did a
6 Google search because I wanted to understand it because
7 I didn't understand it, and I can't really recall what I
8 learned, except I think it has been applied in LA, the
9 LA area.

10 It's a competitive process. I don't think
11 they award a lot of these a year. It's not a big
12 budget, and that the money was going to be set aside.

13 I'm not sure how it was going to be
14 allocated, but it was to come up with an innovative way
15 of managing the storm water runoff from that segment of
16 19th Avenue, and I think anyone would agree that that's
17 the first step that anyone would take before any kind of
18 restoration of the lake, and that was my understanding.

19 So -- and I don't think I need to be
20 involved in the meetings personally because it's not a
21 remediation project.

22 I can't -- I don't think I should be
23 spending money on that, and when we do get involved, it
24 will be people in our office that would handle it other
25 than me who are experts in that.

1 So --

2 MR. COOPER: And I'll provide monthly
3 updates.

4 MR. PONTON: Yes. So I'm not -- I
5 really -- I just know that it was intended for that --
6 that issue, and if we can -- and in a sense that ties to
7 remediation because we know that the sediments tell us
8 that the discharge directly into the lake is not a good
9 thing and visually it's not a good thing.

10 Environmentally, it's a bad thing, so I
11 think that's where it comes down.

12 FACILITATOR KERN: Anything else on
13 Mountain Lake?

14 MR. BERMAN: Just one -- another minor
15 administrative point. It would be interesting to find
16 out if the -- if there is any complication in the state
17 having money to a federal body, because it's my
18 understanding in the past the TEA grants were given in
19 the counties and it wasn't actually a transfer of money
20 from a state agency to a federal agency.

21 Not that there should be any complication,
22 but you never know about these things --

23 MR. COOPER: Right.

24 MR. BERMAN: -- when it comes to the
25 transferring of funds.

1 MR. COOPER: It's usually from the
2 federal to the state.

3 MR. BERMAN: Right. It's very unusual to
4 go the other way. I don't know whether there's any --
5 any complication.

6 It's a -- it's a totally trivial point, I
7 think, but it would be nice to know that -- that some
8 lawyers haven't configured the grant in some way that
9 such a transfer can't occur.

10 FACILITATOR KERN: Anything else?
11 Thanks.

12 MR. COOPER: Okay. Small arms firing
13 range. Nothing really new to report there. Our
14 feasibility study is just about done.

15 We're going to send it back to the park
16 service for the rest of their comments, and we have a
17 very small project as far as sampling the soil in the
18 basement of 649.

19 At landfill -- at fillsite 5, we have one
20 little follow-up action to do there regarding a little
21 bit of succedence {} of zinc that was dug out.

22 It was dug out and removed and retested
23 there to make sure we got it and we are finishing up our
24 resection completion report there.

25 We have --

1 MR. BERMAN: Does anyone have -- quick
2 question. Does anyone have an idea why the zinc was
3 there?

4 MR. COOPER: Well, we think it was
5 probably a little remnant from the fillsite itself that
6 we missed during the restoration event.

7 The -- we're going to talk about fillsite
8 6A is the other, you know, site in RAP 2, and it's
9 eligible for remediation now, and we put that project
10 out for bid and the winning bidder was Pacific States
11 Environmental, and we have selected them and notified
12 them, and we hope that they can get started on all of
13 the utility relocation work this fall, and we have a
14 draft fillsite 6A restoration plan that talks about the
15 stream bed design and so on.

16 We've made an agreement with state boards
17 again. There's some edits that we want to make to that
18 plan. We'll resubmit it to the Regional Board, and that
19 way they'll basically have the winter to be able to look
20 at that and feel comfortable with our restoration
21 approach, and then we'll start bidding out the landfill
22 in the spring next year.

23 So Baker Beach 3 is something that did --
24 is a project that did happen this year. It's almost all
25 gone now and it's pretty dramatic view, and really no

1 problems in the excavation work. I've shown over the
2 last couple months pictures of how we've removed the
3 waste uphill and into trucks, and the only complication
4 here is that, you know, most of the waste has tested out
5 as Cal haz due to soluble lead, so that as you know
6 makes the cost of off-site disposal more expensive and
7 the volume of it -- of the landfill is coming in at
8 least at the RAP estimate or maybe a little bit more.

9 So those two things will probably cause
10 the Baker Beach project to be at the RAB cost estimate
11 or maybe even higher.

12 So it's just part of the risk that we take
13 and, you know, clean closure remedies, sometimes they
14 come in less and sometimes they're going to come in a
15 little more.

16 So work on Baker Beach 4 I believe is
17 going to start next week. That's just that little tiny
18 contaminated area near Baker Beach 3.

19 So here's some photographs. This is the
20 upper end of the landfill. So all -- I've got a picture
21 of the lower end, but this is all that -- as it goes
22 downhill, that used to be kind of flat. You know, that
23 was all full of waste, and it's all been dug out now,
24 and the upper -- it's very steep sand down there. You
25 can kind of see the lip.

1 And so that's looking down, obviously. So
2 that used to be full of waste, that ravine and now all
3 the waste is gone and it's become like a valley there
4 now.

5 MR. SUTTER: Craig, just for information,
6 if you could maybe kind of point out where the previous
7 landfill surface, top surface was. Roughly. Roughly.

8 MR. COOPER: Maybe Brian could help out
9 here.

10 MR. ULLENSVANG: The vegetation on the
11 left wall.

12 MR. COOPER: Here?

13 MR. ULLENSVANG: The slope came down and
14 they cleared up to where the waste was. It's hard to
15 see in this one. I don't know if there's a better
16 angle, but put your finger about halfway up the hill on
17 the left side. That's about where the waste was.

18 MR. COOPER: Are you getting the concept
19 that this goes downhill and then up? It's hard to -- if
20 you haven't been there, I'm kind of assuming that, you
21 know, you kind of get the general thing.

22 MR. ULLENSVANG: On the right side --

23 MR. COOPER: It's a good thirty feet
24 from --

25 MR. ULLENSVANG: It's deep.

1 MR. COOPER: From here to here. You're
2 looking like that to look up this bank here.

3 MR. ULLENSVANG: If you look on the right
4 slope, there's a kind of a line approximately where the
5 slope ended. There's been some vegetation here, so it's
6 hard to tell.

7 MR. COOPER: I think right about here.
8 Maybe from here across to here was full of waste, but
9 it's so hard to tell because, you know, it's like twenty
10 to thirty feet down this little mini canyon here.

11 MR. BERMAN: It's actually pretty
12 spectacular. It's really worth seeing now that it's
13 dry, and if you have a chance, go by there. Go out
14 Washington Boulevard and --

15 MR. COOPER: I think I have just one more
16 picture. At the very bottom -- so this is at the very
17 bottom of the landfill. We're starting to put in our
18 erosion control strategy, and I didn't talk to Jen about
19 this, Brian.

20 MR. ULLENSVANG: That's not the way it
21 looks down.

22 MR. COOPER: In fact, Lew Stringer is the
23 park service's restoration ecologist, and so maybe --

24 MR. STRINGER: It's a willow mattress.
25 If you go back to one of the slides that shows the real

1 exit of the landfill.

2 MR. COOPER: So down here is where you're
3 planting some willows.

4 MR. STRINGER: It's an integrated kind of
5 mat that will hold any sediments that start to move down
6 through that ravine.

7 Hopefully that will trap any sediment and
8 then it will -- the stakes that will be put in, kind of
9 a lattice and woven branches.

10 You kind of see a wall of willow there.
11 It's a lot of kind of deeply woven structure that will
12 hopefully prevent massive movement through that gully.
13 And those willows are already starting to sprout and
14 they'll grow.

15 MR. ULLENSVANG: Most of that structure
16 that you see there are all -- the sticks are buried.

17 MR. STRINGER: It's all buried now.

18 MR. ULLENSVANG: That's during the
19 planting of the willows which will help prevent any
20 erosion until the vegetation comes in.

21 MR. COOPER: Okay.

22 MS. PASSERO: What kind of drainage,
23 then, do you think will be -- seasonal during the rains
24 and all?

25 MR. ULLENSVANG: It's very close to

1 groundwater, the bottom of there. There should be some
2 seepage. It probably won't actually flow very far.

3 MR. STRINGER: It's seasonally wet, I'd
4 say. It's wet now in certain spots. We'll see what
5 happens this winter.

6 MR. COOPER: The bottom of the canyon,
7 yeah -- I'm assuming the sand -- there's a section of it
8 already wet where the seepage is still showing.

9 Is it still there?

10 MR. STRINGER: Yeah. It's been dug down
11 to the colma layer. It's down to sand, the zone where
12 the water is moving and it's percolating through at the
13 bottom there in the clay, colma, so --

14 MR. COOPER: Okay. Any other questions
15 about our -- the Baker Beach 3 cleanup?

16 MR. BERMAN: Could you just give me a
17 quick answer for 6A? Are the -- the utility lines
18 completely mapped or is some of this just going to have
19 to be figured out by -- by trial and error?

20 MR. COOPER: That's a good question. You
21 know, we have a utility map in the utility department
22 and it's -- it's not perfect, you know, and we're
23 already showing a lot of utilities crossing that site
24 that we know we have to go over after -- excuse me. Go
25 after and relocate, and I think they'll also be probably

1 some field reconnaissance at that time, also,

2 So we'll trench out the ones that we know
3 are there and see if there's any unmapped utilities
4 because it does happen.

5 Unmapped utilities do get -- that's why we
6 occasionally bump into pipes and things like that
7 because it is didn't show up on an Army as-built.

8 MR. BERMAN: Right.

9 MR. COOPER: Yeah.

10 MR. BERMAN: So the contractor, Pacific
11 Slope, whatever they're called, they are aware that they
12 have to do this in-situ reconnaissance?

13 MR. COOPER: Yeah, right.

14 MR. BERMAN: So are they able to bid on
15 them? Because that could be really complicated
16 depending upon what you find.

17 Are they allowed to change their -- the
18 cost of operation depending on what they find?

19 MR. COOPER: You mean the change order?

20 MR. BERMAN: Yeah.

21 MR. COOPER: I think the plans and specs
22 show known utilities.

23 MR. BERMAN: Mm-hmm.

24 MR. COOPER: And George is the expert on
25 this, but I would assume that if you -- if they hit

1 something simple -- a lot of people do it, but if they
2 hit something what they bid on and it's going to cost
3 them money, we can expect a change order for it.

4 I mean, that's just how it works.

5 MR. ULLENSVANG: My understanding is the
6 trust feels they have a pretty good handle on the
7 utilities. There's not -- they're not expecting a lot
8 of surprises, and they'll go and do the standard
9 clearance before digging --

10 MR. COOPER: Right.

11 MR. ULLENSVANG: -- to help identify if
12 there are any missed ones.

13 But essentially they're going to try to
14 reroute all of the activities around it.

15 MR. BOGGS: The maps they have are pretty
16 detailed. I was surprised that they showed as many
17 utilities and the details of them as they did during the
18 design.

19 MR. COOPER: Yeah.

20 MR. BOGGS: I think they've got a pretty
21 good handle on them. Like Craig said, this is an Army
22 facility. It's actually quite common that you will find
23 things that just aren't recorded.

24 MR. COOPER: Yeah. Okay. Moving on to
25 the next CERCLA thing, the next big thing going on in

1 our CERCLA program is what's called RAP 3, and it has a
2 total of 31 CERCLA sites that will have remedies
3 declared for them, and the trust -- we've been -- I'm
4 the project manager on this and the trust -- we've been
5 working on it for about a year now, basically.

6 Just to give you an idea of how hard
7 putting this RAP together is, MacTech is our consultant,
8 and I think we've got one of the best staff people from
9 MacTech working on this, and we sent Brian a draft a
10 while back.

11 We got some comments. The trust had some
12 more comments. There's been a couple of things in flux
13 regarding sites and so the trust has now put together
14 another revised draft.

15 We think that we're just about there now,
16 and so I'm expecting comments from Brian very soon, and
17 because I know that it's due to Bob very soon, so we're
18 going to be jamming on getting that Draft RAP together,
19 and concurrent with that, just like what we've done with
20 RAP 1 and RAP 2, we're already working on our designs
21 from the sites that require remedial action, and, you
22 know, you've heard a lot about Baker Beach 1/2, not flip
23 sites, and we just finished a cultural resource baseline
24 assessment.

25 We needed to do that, so we hired someone

1 from URS that's very well respected from cultural land
2 people by both the park service and the trust. He's
3 done all kinds of coordination and studies over the last
4 couple months and put together his impact assessment and
5 so the trust is looking at that.

6 We obviously need that document to write
7 the RAP and to write the CEQA documentation for the RAP,
8 so that was an important milestone to get that finished.

9 Yes.

10 FACILITATOR KERN: Are there any remedies
11 in RAP 3 that you think would be controversial with this
12 group?

13 MR. COOPER: Well, they -- the RAP
14 remedies pretty much follow along the lines of the main
15 installation feasibility study, and the only -- yeah.
16 The only sites that -- that are in RAP 3 that aren't in
17 the feasibility study are from the commissary PX and
18 those are clean closure things, those two sites that
19 were removed from the commissary PX.

20 You know, I don't know how controversial
21 they are until --

22 FACILITATOR KERN: Okay.

23 MR. COOPER: Yeah.

24 MR. BERMAN: Wasn't the --

25 MR. COOPER: I hope not.

1 MR. BERMAN: Wasn't the Nike swale in RAP
2 3?

3 MR. COOPER: Nike swale is in RAP 3,
4 recommended for clean closure as in Nike.

5 So with respect to RAP 3 and -- and
6 associative remedial designs on RAP 3, at Baker Beach 1,
7 2 -- I'm sorry. The first bullet should recognize that
8 the Geotech and the additional archaeological field
9 investigations are going to occur this fall, and the
10 Geotech work at Baker Beach 1/2, because it's so steep,
11 you know, basically we want to make sure that we're not
12 going to get into any trouble as far as waste movement
13 when we dig it up, and that the slope that we -- the
14 clean closed slope that we leave behind is stable.

15 Basically along the lines that -- DTSC
16 requires that at Baker Beach 3, so this time this one
17 was -- because it was required at Baker Beach 3, Baker
18 Beach 1/2 is so much steeper than Baker Beach 3, we
19 assume that DTSC would want this from the get-go.

20 So we basically incorporated it into our
21 design process at this time.

22 There's a few sites in RAP 3 that we need
23 a little bit more information, characterization
24 information to help with the remediation design and DTSC
25 has that work plan and it's just some soil sampling,

1 just better pinpoint exactly where we need to do our
2 clean closure.

3 These are all -- building 662, sewer lift,
4 1167 and 1351 are all clean closure sites in RAP 3 where
5 we just want a little bit more definition on where to
6 dig.

7 We've hired a new consultant to start
8 working on RAP 5, and RAP 5, that new consultant is
9 called CDM, which is Camp, Dresser and McKee, and so
10 this is one of the consultants.

11 I think I told you that I went -- the
12 trust has gone through a whole interview process for the
13 last couple months to bring on a couple new consultants,
14 and this was one of the best consultants that
15 interviewed with us, and so we have high hopes that they
16 will be able to do the -- do a good job on RAP 5.

17 As you can see, it contains a whole bunch
18 of very important sites, so this consultant is actually
19 going to come over to my office on Thursday for the
20 first time.

21 They just got their purchase order a
22 couple of days ago and they have a lot of background,
23 you know, stuff to read first, and so I'm going to give
24 them PTemp and the feasibility study, just a whole bunch
25 of background documents so they can start putting

1 together RAP 5 together.

2 I'm sure that, you know, if RAP 3 took a
3 year or more to put together, RAP 5 will probably take
4 along those lines, too.

5 Maybe a little bit less because there's
6 fewer sites, so it's going to be a complicated one to
7 write, also because of Mountain Lake.

8 We have a lot of -- the RAP is going to
9 handle a whole bunch of important issues regarding
10 Mountain Lake and it's coming up, too. So it's going to
11 be a complicated RAP to write.

12 MR. BERMAN: What's the relationship
13 between CDM and CH2M Hill? Are -- do they communicate?

14 MR. COOPER: That would be my -- yeah,
15 yeah. They would have to. They would have to
16 communicate. CH2M Hill is going to, you know, write the
17 feasibility study on, you know, landfill E and then the
18 results of that feasibility study's going to get
19 incorporated into RAP 5 just as the results to have EKI
20 feasibility study get incorporated into RAP 5, also.

21 So there's kind of two feasibility studies
22 that are feeding this particular RAP, and who does the
23 remedial designs for these projects? We haven't awarded
24 that or made that decision yet.

25 Maybe Hill will do landfill E. Maybe it

1 will go to CDM or maybe somebody else. It's just --
2 I -- I'm trying to wait to see on performance before --
3 that's a big decision is the remedial designs because we
4 get over time construction of sites and the closure, and
5 so it's a -- it's quite a column to get the remedial
6 design task order.

7 So I want to wait and see how Hill does
8 and see how CDM does before I make any decisions on
9 remediation design in RAP 5.

10 Okay.

11 MS. MONAGHAN: Did you invite these
12 people to your grant meeting next week because they're
13 going to be working on Mountain Lake?

14 MR. COOPER: CDM, no. I doubt it. You
15 know, URS on Mountain Lake is our remedial design
16 consultant right now and we're not even going to invite
17 them.

18 Once on a project scope, not only you,
19 would we be telling you, but we'd be telling our
20 consultants about that.

21 Okay.

22 MR. BERMAN: But the remedial design
23 that's involved for Mountain Lake does not really
24 consider the storm water runoff; right?

25 MR. COOPER: Exactly. They need to be --

1 they need to be aware of each others' projects, because
2 locationally, they're right next to each other, right.

3 MR. BERMAN: Right.

4 MR. COOPER: Yeah. Okay. Into the
5 petroleum program.

6 Shall I keep going or take a break?

7 Commissary PX. We submitted the draft
8 corrective action plan to the Regional Board. At the
9 last RAB meeting, I did a presentation about that
10 corrective action plan to the RAB, and we received
11 comments from the park service and the Regional Board
12 and one member of the public, a RAB member, and we would
13 really love if the RAB is going to, you know, comment.

14 I think at my -- at the August 10th RAB
15 meeting I said by the end of September, it would be
16 great to get any comments that you may have on this
17 draft CAP.

18 FACILITATOR KERN: Mark and I talked
19 about it a little bit off-line, and there are some
20 issues that I think would be worthwhile the RAB
21 commenting on.

22 Brian has submitted his comments to us.
23 We've had a chance to read some of those. They have
24 primarily to do with arsenic issues.

25 I think Brian could talk about those

1 better than I, but there's a timing issue I think that
2 comes up that it would be nice to have a chance to talk
3 about, and I don't know if this is really the right
4 time, but it comes -- I guess the construction schedule
5 is to do this work next summer.

6 MR. COOPER: Mm-hmm.

7 FACILITATOR KERN: And at the same time,
8 there is a study going on about Crissy Marsh expansion,
9 and it's my understanding that the Commissary PX area is
10 one of the areas under consideration for that expansion.

11 MR. COOPER: Mm-hmm.

12 FACILITATOR KERN: But that probably
13 won't happen for a while. I don't think the marsh is
14 going to expand into the commissary next summer.

15 MR. COOPER: Right.

16 FACILITATOR KERN: So I'm wondering if
17 there's a bunch of excavation to be done in an area
18 that's going to be excavated, doesn't it make sense to
19 do that once instead of backfill it?

20 And I'm wondering if there are ways to
21 coordinate that activity, if people are thinking about
22 it, what are the pros and cons, what is the expense?

23 I appreciate the desire to get, you know,
24 that work done. That's obviously in your interest, but
25 if the marsh is going to expand in there -- I think on

1 the other hand, and this is probably almost heresy
2 coming from me, but if the marsh isn't going to go there
3 and if it's going to be a parking lot and we're going to
4 repave it and cover it with asphalt, which is
5 effectively a cap, I mean, can we -- is it open to talk
6 about what are the major concerns with leaving it there?
7 How much would we save? What are the -- how much is it
8 going to cost to do this site, and I think we've talked
9 about that, really. What are those options?

10 Those might be comments, at least
11 initially, that Mark and I have looked at when we read
12 through this, and wondering the best way to get those
13 out on the table for people to think about, or are you
14 pretty much set on just wanting to go ahead, get this
15 done, dig it up, backfill it and forget about it?

16 MR. COOPER: Yeah.

17 FACILITATOR KERN: Is that really the
18 plan?

19 MR. COOPER: Well, you bring good -- the
20 points you brought up are certainly things that I've
21 struggled with and trying to balance -- waiting to see
22 what's going to happen for future anticipated land use,
23 basically, and see if there's going to be some
24 efficiency and some economic efficiency in that versus
25 just plunging ahead.

1 I'm -- I'm reluctant to -- you know, to
2 wait. You can kind of get the ballpark on how much
3 money could be saved. The cover alternative is -- is in
4 the CAP.

5 One of the alternatives you can take a
6 look at the assumptions that we put in regarding long-
7 term groundwater monitoring and so on, which obviously
8 would be something that would have to happen.

9 We put our best guess on what that
10 groundwater monitoring would be and how long it would be
11 required by the regulatory agencies.

12 So that's where you can kind of at least
13 get an idea of that particular thing, but my -- my gut
14 instinct is let's just go do it.

15 We've got the -- I would have to -- to
16 redo it at this point in time, you know, it would be --
17 I haven't even had that conversation with Jim, you know,
18 and I don't know if the freshwater -- I'm sorry. The
19 cleanup levels down in that area are very stringent
20 because of its location being in the saltwater
21 protection zone, I think it is, and -- yeah, and that I
22 think was -- it's in the saltwater protection zone,
23 maybe because it's in an area considered for marsh
24 expansion, but maybe there's other reasons why it's in
25 the saltwater protection zone just because it's near the

1 existing marsh. I don't know.

2 MR. ULLENSVANG: Those boundaries were
3 set because that was the targeted area for marsh
4 expansion that Jim gave.

5 MR. BOGGS: You may want to consider the
6 experience the Army had at fillsite 7 right across the
7 street.

8 When they went to dig up that area, they
9 had to stepout upon stepout upon stepout because the
10 data confirmation samplings actually predefined the area
11 of excavation, but when they did their initial sampling,
12 in order to come up with the definition of that area,
13 they had to stepout, stepout, stepout because they kept
14 on running into contamination that they didn't pick up
15 in the RI.

16 So being right across the street, also
17 being in within the similar artificial fill on top of
18 the old marsh, you probably have a fairly high risk at
19 that particular site of doing a lot of stepouts in your
20 excavations and your confirmation sampling.

21 MR. COOPER: Yeah.

22 MR. BOGGS: And that may be something to
23 consider such that if it is going to be part of a marsh
24 expansion, if they are going to be wholeheartedly doing
25 that, to do it at that time with all those stepouts such

1 that you aren't having to backfill, et cetera. Not that
2 you would necessarily change your remedies, but what
3 would -- I mean, like Doug brings up a good point as far
4 as the timing of those things.

5 If there is a high potential for that to
6 become a much larger remediation project, you might
7 consider that in your evaluations.

8 MR. COOPER: Right.

9 MR. ULLENSVANG: And certainly some areas
10 which may be a higher priority than others because
11 they're currently in the marsh.

12 I think we should be careful not to run
13 the risk of those sites that are threatening the marsh
14 now, that we shouldn't wait too long on those because it
15 may be actually harder.

16 FACILITATOR KERN: I certainly don't want
17 to hold up the project, but it just seems -- I mean, I
18 think I already commented when I first looked at the
19 drawings, and there's kind of these little connect the
20 dots weird shapes, and in my mind those are blobs.

21 Those are contaminant spills that could
22 turn into larger areas, and those dots can connect in a
23 lot of ways, and pretty soon you've got the marsh
24 expansion right there and it's already dug up.
25 Everybody says, "Stop, don't backfill. Leave it open."

1 MR. COOPER: Fine with me.

2 First of all, I looked to see the COC. No
3 metals are -- you know, we're not going to be testing
4 for metals in our stepout sampling. It's TPH.

5 The ph's could get us into trouble as far
6 as additional stepouts and cleanup levels, but, you
7 know, it's a good point.

8 I -- you know, almost every site -- you
9 know 207/231, we're going to have the same issue. 207/
10 231 petroleum site is also in the saltwater protection
11 zone. It's also a potential marsh expansion area just
12 like the Commissary PX is also.

13 So that's two of our most important
14 petroleum contaminated sites. Putting them on hold, you
15 know -- I've worked with the Regional Board regarding
16 redoing our -- our cleanup due to another external
17 factor at 1065 with the water recycling plant and that's
18 had some mixed results waiting for another department to
19 make up their mind and move forward on their projects,
20 and I can't say it's been the most -- the most
21 successful way of proceeding on the project is waiting
22 for another department to act and have their money ready
23 and -- and in step with the remediation department.

24 In theory, it sounds great. In practice,
25 it could lead to some really significant delays for us.

1 FACILITATOR KERN: I appreciate that.

2 Is the estimate about three million
3 dollars to do this clean closure? I mean, that's what
4 sticks in my mind.

5 MR. COOPER: Yeah. Let me look it up
6 real fast. I thought it was two million. It is 2.5.

7 FACILITATOR KERN: Okay.

8 MR. COOPER: 2.5 to 2.7. That's the
9 clean closure because the in-situ underneath the
10 commissary building.

11 FACILITATOR KERN: So -- so reasonably
12 good size investment?

13 MR. COOPER: Yeah. It's a big chunk of
14 money.

15 FACILITATOR KERN: And to -- it seems
16 like such a big opportunity if you've got that open hole
17 and if it could be part of a marsh expansion just
18 seems -- it was -- I had to at least bring this up --

19 MR. COOPER: Yeah.

20 FACILITATOR KERN: -- at this meeting.

21 It's incredible that we're not talking
22 about this in my view. It's such a huge investment.
23 You know, the marsh -- Crissy Marsh was a couple of tens
24 of millions and here we are. We're on the way to
25 digging it up.

1 MR. COOPER: As will, you know, 207/231,
2 you know.

3 FACILITATOR KERN: I have the same
4 comment at that site.

5 MR. COOPER: Yeah.

6 FACILITATOR KERN: As much as I want that
7 site gone and as much as I want this site gone, it's --
8 it would be incredible to backfill that and dig it up
9 again.

10 Am I strange? Is this a strange comment?

11 MR. COOPER: It wouldn't be two million
12 dollars, because you'd be digging up clean soil versus
13 digging up contaminated soil, but --

14 MS. TRIGIANI: And who would be digging
15 it up again?

16 MR. COOPER: Somebody other than the
17 remediation department. The trust and the park service.

18 I don't even know that the marsh expansion
19 project is going to be funded.

20 Brian?

21 MR. ULLENSVANG: I don't know.

22 MR. COOPER: They don't even have funding
23 at this point.

24 MS. TRIGIANI: So Craig, why do we need
25 to do this now? Bear with me. This is not a challenge.

1 This is not a challenge. This is a question. Is this
2 not a project that can be put on hold just in case we
3 don't have the money? Is there an environmental hazard
4 that has to be addressed immediately?

5 MR. ULLENSVANG: I would suggest that
6 there are portions of the site that do need to be
7 addressed urgently because they are potentially
8 threatening the marsh.

9 MS. TRIGIANI: Oh, okay.

10 MR. ULLENSVANG: But I'm not trying to
11 say that the entire area needs to be addressed
12 immediately.

13 MS. TRIGIANI: Okay. This is probably
14 all in documentation somewhere.

15 FACILITATOR KERN: I don't want the slow
16 down the process. I -- but I did want to raise this and
17 it would be some comfort to me to hear from somebody
18 about maybe the marsh expansion project and is there
19 coordination? You know, are they happy? Oh, let it go.

20 I mean, anyway --

21 MR. COOPER: I mean, you see the
22 situation -- I'm sorry to interrupt, but if we had, you
23 know -- we knew that the marsh expansion project was
24 somewhere in the mix, and if the -- you know, I could
25 have said you know what? I don't think it's going to

1 expand there and gone to Regional Board, petitioned --
2 change the cleanup levels and the whole excavation
3 strategy would be different, but then I think it would
4 get just flipped and remediation would be criticized,
5 oh, why aren't you cleaning up to -- for this potential
6 anticipated land use.

7 FACILITATOR KERN: Well, the land use, if
8 it's going to be a parking lot, is a whole different
9 land use.

10 MR. COOPER: Mm-hmm.

11 FACILITATOR KERN: I mean, I think that's
12 something that's worth talking about. All the other
13 sites, we're talking about other kinds of uses. I mean,
14 open space, you know, environmentally sensitive
15 restoration, but I've seen when they put down a parking
16 lot, they spray it with oil and they put down asphalt
17 and kind of contaminate that area.

18 I mean, it's -- we're going to
19 recontaminate it once we dig it up by putting back the
20 asphalt.

21 I mean, is that right?

22 MR. COOPER: Recontaminate it?

23 FACILITATOR KERN: Well, not maybe at the
24 same level, but you're going to put something back on
25 the top.

1 Anyway --

2 MR. COOPER: Yeah.

3 FACILITATOR KERN: -- I -- I'm not trying
4 to say don't go ahead, but it seems like this is a basis
5 for some comments, anyway, so --

6 MR. ANDERSON: I was just wondering if
7 finding a large hole there wouldn't motivate somebody to
8 proceed more rapidly with the marsh expansion project.

9 FACILITATOR KERN: There's going to be a
10 large hole.

11 MR. ANDERSON: Yeah. So -- meaning you
12 do that, maybe you could anticipate not needing to
13 refill it.

14 MR. ULLENSVANG: I'm afraid that under
15 marsh expansion, there's to be a fair amount of planning
16 so that you couldn't leave the hole.

17 MR. ANDERSON: Can you get the planning
18 started?

19 MR. ULLENSVANG: It might help get the
20 project going, where it's best to put or vote for reuse
21 and the hydrology of the marsh, but it's certainly one
22 of the things that helps with the creation of the
23 existing marsh is the cleanup at fillsite 7 did create
24 the beginning of this.

25 MR. BUDROE: One thing I'm hearing is the

1 one little item that wasn't said is there any funding
2 for the marsh expansion and what I heard was no.

3 MR. ULLENSVANG: I'm not sure that we
4 know if there is or not. I don't know whether I can say
5 yes or no.

6 MS. TRIGIANI: Who funds the --

7 FACILITATOR KERN: I don't know that
8 anybody's sought the funding. I mean, there could be --
9 I don't know the answer to that, either.

10 MR. BUDROE: I mean, and, you know,
11 thinking about it, the marsh expansion project isn't
12 going to pick up the tab for the contaminant removal end
13 of life, and so if it's going to cost 2.5 and 2.7
14 million dollars to clear that stuff out, fine.

15 If it's going to cost somewhere down the
16 line \$300,000 to take the backfill avenue, then it might
17 be better to just go ahead and do it now.

18 FACILITATOR KERN: Right.

19 MR. BUDROE: Especially if it won't be
20 coming out of the same pot.

21 FACILITATOR KERN: I wonder what that
22 cost is.

23 MR. BUDROE: Removal of the backfill.

24 FACILITATOR KERN: Right.

25 MR. ULLENSVANG: You could calculate that

1 roughly from the cap because there are numbers
2 associated with excavation. There's numbers associated
3 with cost -- putting backfill in.

4 There's costs to dig things out and costs
5 to put it back in and there's disposal costs where you
6 could assume it's much cheaper than disposing of a
7 contaminant soil.

8 MR. BUDROE: You might be able to use
9 that swale somewhere else in the park since it's clean
10 fill.

11 MR. ULLENSVANG: Possibly, or somewhere
12 else that may not be in the park, but some use.

13 FACILITATOR KERN: My purpose was to
14 raise the issue; not necessarily to settle it, but I
15 appreciate having that chance.

16 MS. SEGAL: Is there -- is there a time
17 frame on this potential marsh expansion area that is
18 being talked about? I mean, do we even know?

19 Given the choice of having a hole there
20 for a while or filling it and digging it up again,
21 maybe -- maybe people would rather have a hole for a
22 while, I mean, if it is -- it just seems like we're in
23 the game of moving the rocks from one side to --

24 MR. ULLENSVANG: You will based on my
25 experience during the cleanup of Crissy Field, it would

1 generally not be acceptable to find a hole there for a
2 long period of time. It's cleanliness and safety sort
3 of issues.

4 If there's a hole, it will probably have
5 some water in it, and you run the risk of animals
6 getting in the hole and it's not designed for animals
7 because it's not natural and trash begins to collect.

8 So you'd probably try to time the
9 operations closer than years apart.

10 MS. SEGAL: I'm sorry. So there is some
11 glide path or timeline for the marsh expansion.

12 Is there a big marsh -- 28 million was the
13 first one; right?

14 FACILITATOR KERN: Mm-hmm.

15 MS. SEGAL: And there's no -- projection?

16 MR. ULLENSVANG: Craig and I don't know
17 the path associated with the marsh expansion project. I
18 think that there may be more known than we know.

19 MS. SEGAL: Okay.

20 MR. COOPER: And I remember -- the last
21 time I talked to the planning department about this,
22 they planned on having a public meeting about the marsh
23 expansion.

24 MR. ULLENSVANG: It's a process that's
25 underway.

1 MR. COOPER: Yeah. There's a whole team
2 on marsh expansion, and I thought the public meeting was
3 sometime this fall, but maybe it didn't happen.

4 I'll double-check, but as you can see,
5 they're still at the alternative stage, haven't even
6 selected -- gotten near to selecting an alternative yet,
7 and after that, they've got to go and find money.

8 So it could be years.

9 MS. SEGAL: And when we talk about the
10 Commissary PX, when you come in from Lombard Street.

11 MR. COOPER: Mason.

12 MS. SEGAL: So the big hole would be on
13 the south side of Mason.

14 MR. COOPER: Exactly.

15 MS. SEGAL: And the new marsh is on the
16 north side?

17 MR. COOPER: Right. The bay side of
18 Mason. You know where the Sports Basement is? The top
19 part is going to be dug up by this project, yeah, and
20 then backfilled.

21 MR. BERMAN: Doug, would it be
22 appropriate to have a little -- a small technical
23 discussion at the next committee meeting with a few
24 numbers?

25 For example, Brian suggests that we could

1 estimate what the re-excavation would cost if it was
2 clean fill from the volume. Secondly, there's some
3 urgent remediation that has to be done, so if that's
4 done, what's the incremental difference in doing the
5 whole -- the whole thing?

6 If it's small enough, then, you know, it
7 would seem hardly appropriate to cut it at that stage.

8 So maybe put a with a couple of numbers,
9 we could get slightly more educated and -- I don't know
10 if you're the person that can get them, but maybe Brian
11 and Craig could -- could supply that.

12 And then we could roll it around for a few
13 minutes, and if it -- if your concerns are such that
14 the -- with the urgent remediation and the costs of
15 removal of the clean stuff, look at that package, and if
16 it's relatively small, then maybe some of your -- your
17 concern can be assuaged.

18 FACILITATOR KERN: I appreciate that.

19 Anything else?

20 Thanks for bearing with me. A lot of
21 questions tonight.

22 MR. COOPER: Building 1065 area. As you
23 know, we've already finished one cleanup under an
24 interim action there, and we have scheduled a part two
25 to this interim action that was going to be coordinated

1 with the construction of the water -- I put treatment.
2 I meant to say recycling plant, and it is a water
3 treatment plan in a sense, but we're calling it the
4 water recycling plant, and that particular project is
5 temporarily delayed for various reasons.

6 And so that's going to affect our ability
7 on phase II of our interim action, so it's just -- it's
8 hard to get things done when all these other moving
9 pieces are going on, and so anyway, I need to meet with
10 Jim and explain what happened and come up with a
11 strategy on how to proceed.

12 So all I can say is next slide at this
13 point.

14 MR. BERMAN: Is any of that affected by
15 the Doyle Drive considerations?

16 MR. COOPER: No, no.

17 FACILITATOR KERN: Can you talk about
18 what delays are occurring?

19 MR. COOPER: I think so. I think so.

20 FACILITATOR KERN: I mean, because it was
21 a bit of a rush.

22 MR. COOPER: We were over budget.

23 FACILITATOR KERN: To get the project
24 through.

25 MR. COOPER: The interim actions?

1 FACILITATOR KERN: Right.

2 MR. COOPER: We got the first one done,
3 and we wanted to clean up the contaminated soil to make
4 way for the construction of the water recycling plant,
5 and the second one was actually going to be coordinated
6 in -- it's like concurrent with the construction of the
7 water recycling plant, and the water recycling plant is
8 now delayed because it is -- the bids came in
9 significantly higher than what the trust had expected,
10 yeah.

11 So -- so much so that, you know, we have
12 to, you know, think about how to get the bids back down
13 again, and that could take some time.

14 I don't know. The trust project manager
15 on the water recycling plant is very optimistic. He's
16 like "oh, no. I'm going to solve this problem. Don't
17 worry. I'm going to get this project going again this
18 soon," and, you know, we've waited for him already --
19 we've encountered one delay in him getting his plans and
20 specs together, so I -- it's tricky, because the --
21 where -- this second part of where 1065 is contaminated
22 is underneath the building that is protected by the
23 National Historic Preservation Act.

24 They've -- those folks have been willing
25 to work with us, you know, in dealing with the building

1 underneath it and so on, and actually I was having the
2 water recycling plant people do -- take up kind of a
3 brunt of the costs of shoring and taking the roof off
4 the building and moving some pillars inside the building
5 so the remediation department can go in there and dig --
6 and dig it out.

7 Now the water recycling folks aren't there
8 to kind of take a big -- a big lion's share of those
9 costs, so I have to decide whether the remediation
10 department should go in there and take the lion's share
11 of those costs and shore the building and take the roof
12 off and move all these pillars around and take out the
13 contamination or should we wait, or start -- or go with
14 an in-situ remedy.

15 MR. SUTTER: Craig.

16 MR. COOPER: Those are the issues I'm
17 grappling with right now.

18 MR. SUTTER: Do you know whether the
19 recycling plan -- were the bids so high that they may
20 have to redesign?

21 MR. COOPER: If it's so high they have to
22 redesign?

23 MR. SUTTER: Sometimes that's the case.

24 MR. COOPER: I don't know that. I think
25 right now he's just looking for some, you know, value

1 engineering efficiencies right now to try to bring the
2 bids down, but I don't know.

3 MR. SUTTER: So the first option will be
4 to -- to take a look at the bid spec, maybe make some
5 adjustments and then rebid?

6 MR. COOPER: Right, yeah. But if he
7 doesn't internally see enough savings, then it might be
8 a full redesign, and that's where you see the big delay,
9 yeah.

10 FACILITATOR KERN: Mary.

11 MS. TRIGIANI: Craig, are those plans
12 under your management and jurisdiction or is that -- is
13 that the department or trust again?

14 MR. COOPER: The water recycling plant?

15 MS. TRIGIANI: Yeah.

16 MR. COOPER: It's not in remediation.
17 The operation department, I think.

18 MS. TRIGIANI: So we've got to clean up
19 under there before they can build?

20 MR. COOPER: Right.

21 MS. TRIGIANI: Mm-hmm. So why do we have
22 to pay for the building being -- the columns being moved
23 around and all that sort of thing?

24 MR. COOPER: Right. We --

25 MS. TRIGIANI: Why would that be?

1 MR. COOPER: Well, to get at the
2 contamination, you need to make sure that the building
3 is stabilized.

4 MS. TRIGIANI: Okay.

5 MR. COOPER: And I was -- the original
6 coordination between our two departments is that
7 operations department was going to pay for that.

8 MS. TRIGIANI: Sure.

9 MR. COOPER: Now their project isn't
10 moving forward, so there's no reason for them to do it.

11 MS. TRIGIANI: I'm detecting a pattern
12 here. A lot of projects are on hold that hold us up, so
13 we have to go in and do stuff and pick up the tab? Or
14 am I --

15 MR. COOPER: Well, we have to just think
16 about our strategy. Do we want to go in and pay those
17 costs and do an excavation remedy, should we wait,
18 should we do it in-situ? We're not getting forced to do
19 it.

20 MS. TRIGIANI: Okay.

21 MR. COOPER: But our program that is
22 fully funded, that has a schedule. It's in our interest
23 to keep --

24 MS. TRIGIANI: Go along. I'm just
25 sharing with you some of the struggles I go through in

1 doing that.

2 MR. COOPER: Other departments run into
3 problems such as -- just like we do. Sometimes we run
4 into our own delay. Contamination. We've got our own
5 problems with delay. I've got --

6 MS. TRIGIANI: That's big of you. I
7 don't have that problem.

8 MR. COOPER: What's that?

9 MS. TRIGIANI: That's very big of you. I
10 don't have that problem.

11 MR. COOPER: Ha-ha-ha, yeah.

12 MS. TRIGIANI: I just want to make sure.
13 I'm wondering, though, before I do get challengee about
14 this.

15 MR. COOPER: Mm-hmm. So, yeah, I'll
16 report back to you all about, you know -- this
17 information -- I just found out last week about the
18 problem with the water recycling plant going forward.

19 MR. ULLENSVANG: Mary, another way you
20 might want to look at this. Craig was using the water
21 plant as an opportunity to save some costs. He might
22 have lost that opportunity. It won't cost him any more
23 than if the water plant never existed.

24 MS. TRIGIANI: Thank you.

25 MR. COOPER: We've got our expectations

1 very high that we were going to save some money and it's
2 not panning out the way I had hoped.

3 MR. BERMAN: Is the size of the water
4 treatment plant set in stone, so to speak? You know,
5 one way of cutting back on the cost of that is to make
6 the treatment plant a little bit smaller.

7 MR. COOPER: Yeah. That's really not my
8 department. All I knew is that there is little
9 interaction between our two departments. I know very
10 little about the --

11 MR. BERMAN: Somehow it's got to be --
12 eventually the capacity and the costs have to be
13 connected in some way, and it may be possible to build a
14 treatment plan in two stages, two plants.

15 MR. ULLENSVANG: Hopefully those are
16 things that the project manager is going to consider.

17 MR. COOPER: Yeah.

18 MR. BERMAN: It doesn't seem like a
19 really difficult problem at this moment.

20 MR. COOPER: I think it's going to get
21 worked out. It's just a matter of the time it takes for
22 them to -- this is the operations department now. The
23 water recycling people to sort through their problems.

24 When we have our project delays, we sort
25 them out and we figure it out and we find a way to move

1 forward. I'm hearing now we're going to do the same
2 thing. It's just a signing -- it's just a signing
3 issue, really.

4 MR. BERMAN: You may get your savings,
5 anyway, when they rethink.

6 MR. COOPER: I might. I might, right.
7 Exactly. I'm hoping still. I'm still optimistic that
8 I'll get the savings.

9 FACILITATOR KERN: And you can finish
10 this page and take a break.

11 MR. COOPER: Okay. Well, this one is --
12 there's nothing new. These are the other two large
13 corrective action plan sites in the works.

14 Take a break?

15 FACILITATOR KERN: Would that be good
16 with everyone? All right.

17 (Recess taken).

18 FACILITATOR KERN: It's been requested
19 that as we reconvene, that before people take off that
20 we address the issue of one of our members has requested
21 a leave of absence, and that's something that we should
22 just take a quick poll on.

23 Is everybody aware that Tracy has
24 requested a leave of absence?

25 Is there any discussion about that?

1 MR. SUTTER: How long?

2 FACILITATOR KERN: I think it is through
3 mid-December, if I recall from her e-mail.

4 MS. MONAGHAN: Fall term.

5 FACILITATOR KERN: Going to school.

6 Is there any objection?

7 All right. Then seeing no objection, then
8 I would say that her leave has been granted.

9 MS. MONAGHAN: Thank you.

10 FACILITATOR KERN: And I don't know if
11 Mark is still going to come for his report, so we can
12 cycle back to yours.

13 MR. COOPER: The old standby, huh?

14 Okay. This has a very long-term,
15 development of fresh water TPH diesel and fuel oil point
16 of compliance concentrations report.

17 What it's all about is there's these, you
18 know -- two ecological zones in the Presidio: The
19 saltwater protection zone that we've been talking about
20 and a freshwater eco zone.

21 The saltwater is down by the marsh, and
22 the saltwater is Tennessee watershed, plus or minus, to
23 simplify it.

24 The Army -- because these are ecologically
25 sensitive zones, we need to make sure that our cleanup

1 levels are protective and consider the value of these
2 zones, and the Army had developed cleanup -- this is all
3 about cleanup levels, okay.

4 The Army had developed cleanup levels for
5 just gasoline for both zones, saltwater and
6 freshwater --

7 MR. ULLENSVANG: It was everything in the
8 saltwater zone. Just gas tanks in the freshwater zone.

9 MR. COOPER: They had done gasoline, fuel
10 and diesel in the saltwater zone, but only gasoline in
11 the freshwater zone. That's what the trust inherited,
12 so that's what it says.

13 The point of this is to find these two
14 missing cleanup levels, one for diesel and one for fuel
15 oil in the freshwater ecological protection zone.

16 So whenever we're cleaning up petroleum
17 contaminated soil in Tennessee Hollow area, we want
18 to -- we want to make sure that we cleanup to the right
19 levels.

20 This was a requirement in the court order
21 that we got last year from the Regional Board order, and
22 we met with the Regional Board, the trust did with the
23 park service and we came up with this idea.

24 The traditional approach to come up with
25 these type of ecological protective cleanup levels, for

1 example, the way the Army did it, which is the
2 traditional eco risk assessment type approach is where
3 you do -- it's called amino -- bioassays. Thank you.
4 Basically putting aminos in a tank and then adding
5 little bits of contaminants in it and see how they do,
6 to see how fast they die.

7 MS. TRIGIANI: Oh.

8 MR. COOPER: And then you back-calculate
9 cleanup up levels for that.

10 So as you can imagine -- and as you can
11 imagine, there's a lot of assumptions that go into that.
12 You got to find -- it's better -- instead of just
13 bringing in fuel oil from Richmond, you know, you want
14 the fuel oil that's specific to the Presidio, that's
15 weathered because it might have a toxicity, you know,
16 profile that's different than other fuel oils, et
17 cetera.

18 So, anyway, it's a complicated work plan
19 to put together. It's very expensive. You got to bring
20 in specialists, and so the trust in coordination with
21 the park service and the Regional Board, we came up with
22 an idea of basically just kind of, for purposes of
23 protectiveness, looking at some of the saltwater numbers
24 and looking at some of the freshwater numbers, the
25 freshwater number for gasoline, and coming up with a

1 strategy of just borrowing those numbers and making sure
2 that they would be protective for fuel oil and diesel.

3 So -- to kind of leap over the bioassay
4 approach and just get to some numbers that everybody
5 feels comfortable with and -- so that's what we did, and
6 we sent Jim a -- a report on that and he approved it.

7 And so that -- that issue was done. We
8 have cleanup levels for all three petroleum type
9 contaminants now in Tennessee Hollow.

10 The other things in the petroleum program,
11 we submitted Jim a petroleum site contingency action
12 plan, how to deal with petroleum contamination that
13 isn't in our -- isn't a known site, and we're basically
14 clean closing it to our cleanup levels, and Jim's
15 approved that plan, and a copy of the plan is on the
16 trust web library if you want to take a look at it.
17 It's under petroleum contingency plan folder.

18 Graded area 9 sand. We talked about this
19 before. We're piling some sand over at graded area 9
20 from the de Young Museum. It's -- we're about halfway
21 done, I think, maybe a little bit more.

22 We've stopped right now, as you'll .
23 We're kind of in between excavations over at the de
24 Young. It's our first time showing some pictures from
25 the source area over at Golden Gate Park.

1 You can see that -- where they've been
2 digging and where our sand has been coming from.

3 There's another picture. That's the aquarium; right?

4 MS. MONAGHAN: Academy of Science.

5 MR. COOPER: Yeah. So they're starting
6 the garage excavation now over at the Academy of
7 Sciences, and once they get down deep enough, we'll get
8 into some good sand.

9 We know that the first excavation of this,
10 there were some colma and some other stuff in it that --

11 MR. ANDERSON: There was some what?

12 MR. COOPER: Colma soil.

13 MR. ANDERSON: Oh.

14 MR. COOPER: We wanted the good dune
15 sand, so we told them to stop the trucks, wait till you
16 get down a little bit deeper and get into some better
17 dune formation before the trucks start going again.

18 Is that accurate, Lew?

19 MR. STRINGER: Yes.

20 MR. COOPER: And there it is, the sand
21 pile. I think I showed this last month. Not that much
22 sand has arrived over the last four weeks, very little
23 because of this waiting for -- getting better source
24 sand from Golden Gate Park.

25 As you can see, it's a pile. That's the

1 Baker Beach Apartments. You know, you're looking --
2 that's the back end of the Baker Beach Apartments there.

3 Mustard agent site, the bane of my
4 existence. I hate this site. It's still fenced in with
5 the high fence. I -- you know, we're going into another
6 rainy season, so the trust is -- we're going to have to
7 get in there.

8 We've put in emergency controls in there.
9 It's full of weeds. It's a total eyesore. I'm getting
10 very grumpy about this site because we need to maintain
11 it, but it's also a site where potentially -- even
12 though it's a very low potential -- that there could be
13 some additional bottles in the soil that DTSC is
14 concerned about that.

15 So any time people go in there, you know,
16 we have a health and safety officer. We redo -- every
17 time we redo the training about unknown object training,
18 what to do.

19 You can't dig -- you can't just start
20 jamming shovels into the ground. You got to dig with
21 care, and it's -- it's becoming quite a pain for not
22 only me, but for our restoration people who really want
23 to get in there and finish this project up.

24 So I know I've been complaining about this
25 site for a while now to try to get some emotion going

1 here. I'm going to write the Army a letter about --
2 I've already sent them a letter that "you're paying for
3 our maintenance of this site for the time being."

4 I don't think I can charge them, you
5 know -- my restoration people also want me to charge
6 them for when they do clear out, get the closeout for
7 DTSC to pay for the planting, also.

8 I think that might be a little
9 overreaching, but I'm certainly planning on charging the
10 Army for the fence that we put in, the -- all the site
11 maintenance that we've been going on, the trainings that
12 we have to do for folks.

13 It's, you know -- it's not a ton of money
14 so far, but it's more of just a hassle factor and more
15 of an eyesore.

16 I'm surprised I have not received more
17 complaints from the public at this point in time. I
18 don't know.

19 MR. SUTTER: What is the Army supposed to
20 do at this point? Are they supposed to say that "the
21 cleanup we did is sufficient? Therefore you can restore
22 the site"?

23 MR. COOPER: We are expecting the Army --
24 yeah. They have to make a decision about this site and,
25 you know, remember the archive search report that

1 unveiled several other potential sites similar to this
2 site.

3 They need to tell us about the risk that
4 this site poses and these other sites and develop a work
5 plan acceptable to DTSC to get closure for them,
6 whether -- you know, I'm not even going to get. Whether
7 they need to do some field investigations, take some
8 samples, whatever.

9 They need to get closure from DTSC before
10 the trust can get back in there and finish our planting.

11 So --

12 MR. BOGGS: I was going to say. I can
13 add a little bit to that. I talked to Bruce Handel
14 recently, as well, and -- in between getting delays and
15 similar to what Craig has felt, I'm sure.

16 When they completed the archive search
17 report, based on that report, they were supposed to
18 review that and then come up with a plan for, like he
19 said, additional sampling of what work needs to be done.

20 They actually completed that. That --
21 there's a table that went along with that that then goes
22 from the Army Corps of Engineers to the BRC office,
23 which is an actual Army office, base realignment and
24 closure.

25 There is apparently some concerns at the

1 Army level about direct, that the corps had what our
2 next steps are, so they've kind of been a discussion
3 mode -- well, there's a lack of discussion and the Corps
4 of Engineers, which is Bruce Handel would actually do
5 the work or oversee it, is waiting for direction from
6 the Army because the Army didn't like the
7 recommendations that were coming out.

8 So at this point, trying to get a timeline
9 out of him is very difficult, and -- but I do know
10 nothing's going to happen before October, and that would
11 be the earliest we could expect anything from him.

12 FACILITATOR KERN: Is there -- I'm sorry.

13 MS. CLEEK: They don't let you know what
14 those findings are, what they're proposing for a course
15 of action, so that's still unknown to everyone?

16 MR. BOGGS: Correct. That's what we've
17 been waiting for for a considerable amount of time is to
18 find out what our next steps are.

19 MS. CLEEK: But we --

20 MR. BOGGS: Or what the next steps are
21 that the Army's going to propose.

22 MS. CLEEK: But the next steps in the
23 report apparently are not accessible to --

24 MR. COOPER: Another section of the Army.

25 MS. CLEEK: Another section of the Army,

1 but we don't know whether that means that they want to
2 dig up the entire area or they don't want to do
3 anything?

4 MR. COOPER: Right.

5 MR. BOGGS: Correct.

6 MR. COOPER: We don't know.

7 FACILITATOR KERN: Should we be thinking
8 about something post October that we can -- as a RAP
9 begin to do?

10 MR. BOGGS: I've got a briefing with my
11 management based on -- it was just yesterday that I
12 talked to Bruce, where I need to brief them on my
13 conversations with Bruce.

14 We've held off on writing a letter.
15 That's kind of what we were going to do previously, but
16 I think as we continue to get put off here, at some
17 point I'm sure my management's going to want to elevate
18 it up a little bit.

19 FACILITATOR KERN: It seemed at one point
20 that we were fairly agitated about Baker Beach and there
21 was an area over by the Burger King which was a hand
22 grenade area --

23 MR. COOPER: Mm-hmm.

24 FACILITATOR KERN: -- and so I guess we
25 should have in our minds that we'll do something if --

1 if the -- between you two guys, you know, it keeps
2 getting -- we have to think about what to do.

3 MR. BUDROE: What about a RAB of Nancy
4 Pelosi?

5 MR. BOGGS: I think those options are
6 down the line. Those are definitely available to the
7 RAB. It's not something that I can pursue, but --

8 FACILITATOR KERN: I mean, I think we can
9 put together the picture of how long it took to get the
10 report, how long all the letters you guys have sent and
11 still nothing has happened kind of thing, so --

12 MR. COOPER: Mm-hmm. It doesn't have to
13 be an angry letter. It can be an anxious letter.

14 MS. SEGAL: Did we actually get the
15 archive search report, and if so, what?

16 MR. COOPER: About a year ago.

17 MS. SEGAL: Is that when they came out in
18 December and said they were going to --

19 MR. COOPER: Remember, and they presented
20 the archive search report?

21 MS. SEGAL: That was December?

22 MR. COOPER: I think it was around
23 October.

24 MS. SEGAL: Then that's right. They were
25 going to do something in December?

1 MR. COOPER: They were going to do
2 something in December. Let's pull this original
3 presentation. I don't like pointing fingers at other
4 people's project delays. I know I've got my own to deal
5 with.

6 MS. CLEEK: Is there anything really
7 critical that needed to be addressed by January?

8 MR. COOPER: That is what we're still
9 waiting on.

10 MS. CLEEK: I thought they were going to
11 do a first pass.

12 MR. ULLENSVANG: We asked them to.

13 MS. CLEEK: In the letter, and they've
14 never done either one; right?

15 MR. ULLENSVANG: They haven't come back
16 from that.

17 MR. COOPER: That's right.

18 FACILITATOR KERN: So it doesn't have to
19 be an angry letter, but it would probably be --

20 MS. PASSERO: It can be assertive.

21 MR. SUTTER: Why not an angry letter.
22 The Army deals with anger. They understand that.

23 MS. TRIGIANI: They understand surly,
24 don't they?

25 MS. MONAGHAN: 10-14.

1 MR. COOPER: 10-14. Thanks.

2 MR. COOPER: The next RAP meeting will be
3 the one-year anniversary.

4 FACILITATOR KERN: Right.

5 MR. COOPER: Okay. Project closeouts.
6 Some remediation projects really do make it to the
7 final -- the final stage, and so these are three that
8 are with the regulators. There they are.

9 Groundwater monitoring, same old thing.
10 Lead based paint, some old thing.

11 On our schedule, it's what I talked about
12 before, the importance of RAP 3 and RAP 4. I'm getting
13 concerned about RAP 4, but we need to -- the trust and
14 the park service need to work out the landfill 10
15 feasibility study issue so we can get RAP 4 out to the
16 regulators and to you all to comment on, because we're
17 hoping to -- we're hoping to do a lot of stuff in 2005,
18 December of 2005.

19 We need to get RAP 3 and 4 done this
20 winter and signed by next spring to do remediation work
21 next summer, and the enforceable schedule, I need to
22 meet with Jim, what I talked about with the 1065
23 problem, with the water recycling plant and RAP 3 is due
24 to Bob soon.

25 Oh. On this one, I've -- I've got a

1 letter to Mark regarding the -- I think Dave asked for
2 the -- the summary table that I presented to the trust
3 board of directors, so here's a letter to Mark.

4 I guess since he's not here, I'll mail it
5 to him, but I copied Dave and Doug on the letter, and if
6 anyone else wants this. It's a -- it's a letter
7 basically transmitting the table. You can pass this
8 down to Dave.

9 And -- but if anybody on the RAB,
10 regulators, whatever, I'll post it on the web library.
11 It's only two pages, so it will be really easy to
12 download in PDF, or if you want your own copy, I can
13 mail you a copy, too.

14 MS. SEGAL: Craig, when you say you
15 presented it to the trust board and that they didn't
16 have any real questions or issues with it --

17 MR. COOPER: No.

18 FACILITATOR KERN: One --

19 MR. COOPER: They're leaving it up to me
20 to stay on schedule and stay on budget, you know.
21 That's -- they've got their hands full on other things.
22 So they asked some questions.

23 They're definitely interested in this, but
24 they don't want me to mess up, basically. That was
25 their bottom line, you know, advice.

1 MS. SEGAL: But Alan was with you at the
2 meeting?

3 MR. COOPER: Mm-hmm.

4 FACILITATOR KERN: Do you think there
5 will be an opportunity to review the backup spreadsheets
6 for this thing that's going on?

7 MR. COOPER: That's a good question.
8 I -- I need to think about that. That's something --
9 I'll try to get back to you by next month about that
10 one.

11 MS. SEGAL: Doug, are there questions
12 that you might want -- that we could ask Alan or do you
13 want to -- how does that work?

14 FACILITATOR KERN: In the past -- I mean,
15 a lot of all of this comes down to legal things, what
16 are people required to do and what are they willing to
17 step forward and do beyond legal requirements and then
18 what are the costs of doing those things, so a lot of it
19 is in the details of what's being done in those cost
20 estimates, and that we just have to pour over it, take
21 the time to analyze it, see what could be changed, just
22 ask questions on it. That's what I would do if I had
23 access to.

24 MR. SUTTER: I guess my question of Craig
25 is: When can we expect to see a project cost report

1 prepared in the format per our letter with all the cost
2 fields, et cetera?

3 I know Alan's been working on
4 collecting --

5 MR. COOPER: Right.

6 MR. SUTTER: -- data and reconciling --

7 MR. COOPER: Because we got all the past
8 costs we need to sort out, project specifically.

9 MR. SUTTER: So when do you think he'll
10 be able to, you know, get on to that phase of -- of the
11 overall task --

12 MR. COOPER: Yeah.

13 MR. SUTTER: -- and produce a sample cost
14 report that we can take a look at?

15 MR. COOPER: Let me ask. I know that he
16 works on -- he works on it and then I distract him on
17 something else and then he goes back to it.

18 Let me ask him how he's doing on his
19 progression on that.

20 So you're not even asking for all the
21 projects, obviously. Just one that we can dry run.

22 MR. SUTTER: Just a sample. Just to see
23 how he can be in following that format --

24 MR. COOPER: Right.

25 MR. SUTTER: -- given the data

1 collection --

2 MR. COOPER: Right.

3 MR. SUTTER: -- and the information that
4 he's gotten from accounting and whether all the data is
5 coming together, you know, so that that kind of report
6 can be formatted in the -- in the way that we had -- we
7 had discussed and agreed to.

8 MR. COOPER: Okay. Let me find out. And
9 maybe we can just do landfill 4 or something like that,
10 one where there's been a lot of cost incurred and it's
11 well down the pipeline.

12 Okay. So recently released documents.
13 We've sent out the draft fillsite 6 restoration plan
14 that I talked about.

15 We're going to make some revisions to that
16 and resubmit it, but for the most part it's done. The
17 petroleum plan, the sampling for pesticides at mountain
18 Lake.

19 We've got a whole bunch of things in the
20 pipeline that we should be putting out very soon.

21 That's it. Thank you.

22 FACILITATOR KERN: Thanks for all that.
23 One question came up near the end, but it's back to
24 Baker Beach, disturbed area 3.

25 MR. COOPER: Mm-hmm.

1 FACILITATOR KERN: I was wondering since
2 I recall being in meetings where people were thinking
3 about how to dig it up and there were lots of
4 discussions around digging up that site, and then when
5 you brought in the contractor to actually dig it up,
6 they did some of like that, but did some of it their own
7 way? Is that fair?

8 MR. COOPER: As far as what the plans and
9 specs -- the design work plan said on how to do the
10 project versus -- we didn't -- I mean, Brian, correct me
11 if I'm wrong.

12 I don't think we specified the whole part
13 that the contractor had to bring the waste up. We
14 didn't specify that.

15 FACILITATOR KERN: Well, I'm referring to
16 the part where you're going to leave a lot of the lower
17 material in place.

18 MR. COOPER: Mm-hmm.

19 FACILITATOR KERN: -- and dig the higher
20 stuff and dig down to it. There was a whole lot that we
21 did specify, phase I and phase II.

22 MR. COOPER: That was for slope stability
23 reasons.

24 FACILITATOR KERN: I guess I was
25 wondering. It was just a long period of time, and I

1 would expect funds spent on all that.

2 Would you do anything different for future
3 landfill? I mean, have you discovered any cost saving
4 things that you would either not do in the future or
5 other -- are we going down the learning curve, in other
6 words?

7 MR. COOPER: Mm-hmm.

8 FACILITATOR KERN: Just a general
9 question. We're saving money on digging up.

10 MR. COOPER: Right. I can talk to
11 Jennifer and George. Nothing has been elevated to me
12 about "wow, you know, next time" -- a lot of little
13 things have come up, you know, but nothing that would
14 have significant cost savings.

15 If we get the memo that Cal has, whether
16 it's cost-effective to try to treat that on-site. RCRA
17 has -- could have -- if we had some significant areas
18 that RCRA has, the treatment, how cost effective that
19 works out, but that's really two cost items. The volume
20 of what you're going to end up digging up and what it
21 goes out as, Cal haz or non-Cal haz.

22 FACILITATOR KERN: Well, I was also
23 thinking we do -- it seems like we spend a lot of money
24 on the pre-construction drawings and design engineering
25 and all that.

1 MR. COOPER: Mm-hmm.

2 FACILITATOR KERN: It just seems to me
3 that we should be able to -- we're digging holes in the
4 ground and we should be able to save somehow some of
5 that engineering when we do other digging up projects.

6 We don't have to spend a lot of time here,
7 but just --

8 MR. BOGGS: On some of the other
9 diggings, it might be so, but I think some of the design
10 went into the slope stability analysis, that kind of
11 stuff to assure public safety, the safety of the
12 workers, et cetera.

13 So some of that kind of stuff. Like when
14 we go to Baker Beaches 1 and 2, it's just going to be
15 required.

16 Whereas excavation of 6A, that didn't have
17 to go to Sacramento to get a special engineering review.
18 It's not even going to be a big hole, big enough mound.

19 So I think on some of the simpler sites,
20 you're right, that some of the engineering costs should
21 be considerably less.

22 When putting the specs together, they
23 should be able to save some other stuff, but some of the
24 other ones, you really have to do your homework first.

25 FACILITATOR KERN: Thanks, Craig. That

1 was a long report. Thanks. There's a lot of work in
2 here that you're doing. So appreciate that.

3 On to 6. Bob.

4 MR. BOGGS: Just one quick little thing.
5 My department had received some calls alleging illegal
6 trucking at Baker Beach 3, and so our enforcement
7 department had actually gotten involved and we had a
8 meeting with Craig, got copies of all their manifests,
9 et cetera.

10 I got to talk with them just last week and
11 preliminary findings are in. It's not all final, but
12 apparently what happened is a couple guys got sent out
13 here that didn't have their proper transportation
14 certificates to be a hazardous waste trucker.

15 Because they got sent out here, they
16 actually got the contractor for -- the Presidio actually
17 stopped them because they didn't have correct papers.

18 Well, these individuals that got stopped
19 went back, because they got sent out here, and filed a
20 complaint with our agency. The truckers without proper
21 papers are being sent to the Presidio to handle
22 hazardous waste.

23 Well, it turns out that the only people
24 that were sent here to do that were those two that got
25 caught, so basically some people did try to sneak in

1 under the radar. The trust contractor caught them and
2 everything seems to be all in order.

3 That's about it.

4 FACILITATOR KERN: Anything, Jim?

5 MR. PONTON: No.

6 FACILITATOR KERN: Thank you, guys.

7 This may be an old business item, but I
8 thought I would check on the status of maybe some of
9 those previous transcripts from various months that
10 aren't in the library.

11 MR. COOPER: I delegated that Denise --

12 FACILITATOR KERN: Okay.

13 MR. COOPER: -- and I haven't checked. I
14 haven't been able to --

15 FACILITATOR KERN: Any other new
16 business?

17 So action items. I have created one
18 evidently for myself to -- for the next committee
19 meeting to do some work on 1065 comments and maybe
20 examine the costs of the excavation and re-excavation
21 and come up with some scenarios.

22 MR. COOPER: You mean Commissary PX.

23 FACILITATOR KERN: What did I say?

24 MR. COOPER: 1065.

25 FACILITATOR KERN: Yeah. Thank you.

1 Commissary.

2 And so I'm going to do that, and we have
3 archive search report, potential letter on our radar
4 screen.

5 Any other action items? Dave.

6 MR. SUTTER: Yeah. I had asked Craig at
7 the last committee meeting if for the next committee
8 meeting it would be possible for him to do a master
9 program schedule update presentation.

10 Is it possible for the next committee
11 meeting?

12 MR. COOPER: At the -- that would be
13 September 28th?

14 MR. SUTTER: Yeah. I think you mentioned
15 you'll be doing an update, anyway.

16 MR. COOPER: Yeah. I'm doing an update
17 for Bob. It's due October 1st, so hopefully -- it
18 oftentimes comes right down to the wire, but if it's
19 ready by September 28th, I'll try to have it ready by
20 then.

21 MR. SUTTER: Okay.

22 MR. COOPER: But if I can't, it will be,
23 you know, October 1 for sure -- yeah.

24 MR. SUTTER: Doug, I should mention
25 something about the insurance. At the last committee

1 meeting, Mark had given me the responses to the FOIA
2 request from both the trust and the park service.

3 In those responses, they indicated a time
4 deadline for appeals, if we were to appeal.

5 As it turned out, by the time I got the
6 responses, the appeal period for the trust had already
7 expired and the one for the park service was only two
8 weeks away.

9 However, Mark was going to talk with you
10 because it doesn't seem like it would be worth --
11 worthwhile to appeal the FOIA response.

12 They've simply kept redacted all the key
13 information that's been redacted previously, and it's
14 kind of -- doesn't look like there's any indications
15 that that information will be -- will be made available
16 to us through the FOIA process.

17 At any rate, tomorrow is the deadline for
18 filing an appeal to the park service. I just wanted to
19 update --

20 FACILITATOR KERN: Yeah, thanks.

21 MR. SUTTER: -- the RAB, and I advised
22 Mark after the last committee meeting the next day about
23 these deadlines and he was going to discuss it with you
24 and see what we would do. I haven't heard anything.

25 FACILITATOR KERN: Yeah. We didn't -- we

1 didn't -- we didn't talk about the appeal process yet,
2 so given that tomorrow's the deadline, let's take a
3 minute and just see what is involved in the appeal and
4 what are the chances that we will be successful.

5 MR. SUTTER: Well, there's two questions.
6 Number one, the appeal periods indicated in the letters
7 from the park service and the trust are those statutory
8 or discretionary. I think that would be one question.

9 Secondly, the FOIA request was rejected on
10 the basis of the exclusion under FOIA that the
11 information is a trade secret. In the insurance policy,
12 it's a proprietary trade secret.

13 In order to file an appeal, I don't know
14 how one would do that and when one doesn't know what it
15 is that's a trade secret because it's redacted.

16 It's sort of a Catch 22. I don't know how
17 you file an appeal other than to say, "We don't accept
18 the rejection. We are hereby appealing."

19 There's no information upon which to base
20 an appeal because the information is redacted.

21 FACILITATOR KERN: You know, I appreciate
22 that there's a deadline for an appeal and I appreciate
23 your comments, but it seems like there's a larger issue.
24 I mean, these agencies took their time to respond back
25 to us, so I'm not as concerned about the deadline.

1 They could reject our appeal based on we
2 didn't get it in in time, but larger issue, I mean,
3 is --

4 MR. SUTTER: As I mentioned, is it
5 mandatory or discretionary?

6 MR. ULLENSVANG: My understanding from
7 the Department of Interior is that the appeal period is
8 respected very much, and so it is a date and time frame
9 that is looked upon in reviewing.

10 If it comes in after the review period,
11 it's not looked upon favorably.

12 FACILITATOR KERN: Well, I mean, we can
13 submit it tomorrow, and the question is is what we base
14 the appeal on. Do we just say, "We appreciate your
15 denial of our request. Please give it to us what we
16 want. I mean --

17 MR. SUTTER: But, you know, it's quite
18 clear we've asked for this information informally. It's
19 been rejected. We've asked for a FOIA request. It's
20 been rejected. We could file an appeal and six months
21 from now or a year from now, the appeal will be
22 rejected.

23 It seems to me like we're spinning our
24 wheels to go the FOIA route. That's just a personal
25 opinion, but I think the history -- the history of this

1 issue has indicated that we may just be spinning our
2 wheels by continually going through this hoop,
3 bureaucratic hoop.

4 So that's just my personal response to the
5 situation --

6 FACILITATOR KERN: The --

7 MR. SUTTER: -- as it developed to date.

8 FACILITATOR KERN: Do you know if there's
9 a special form for the appeal?

10 MR. SUTTER: No. Mark had handled the
11 original FOIA request, so -- I was not involved.

12 FACILITATOR KERN: Sara.

13 MS. SEGAL: The letter probably says what
14 you have to do to appeal.

15 MR. ULLENSVANG: I know the park service
16 has a special form that would answer any questions for
17 the format that you have to use. So you can call the
18 woman who's referenced in the letter.

19 FACILITATOR KERN: I can talk to Mark and
20 see, you know, what the options are.

21 Is it the consensus here or the sense of
22 the board that you would want to have this done by
23 tomorrow? Do you want to pursue an appeal?

24 I mean, without getting into all the
25 reasons pro or con, it seems like just getting in the

1 appeal at least preserves our options.

2 I mean, that would be my impression is to
3 get in an appeal and preserve the option. Yes.

4 MS. TRIGIANI: And any appeal depending
5 on what the form is and how much time it's required of
6 people that are doing this, and I assume it's you and
7 Mark, maybe, and maybe Dave, maybe to put more questions
8 to them as part of the appeal process.

9 In other words, we're not only appealing
10 this, we want you to define what you mean by a "trade
11 secret" and why this applies.

12 FACILITATOR KERN: Okay.

13 MS. TRIGIANI: I mean, I think we've
14 all -- since I've been on the board or since we talked
15 about this, we understood we were dealing with the trade
16 secret argument, but as long as we're staying in the
17 game, we might as well make them do a little bit of
18 explaining.

19 Was there anything else in there, Dave,
20 that they cited? That was the only thing they said was
21 that it was a trade secret issue?

22 MR. SUTTER: Yeah. There were nine
23 exemptions and four exclusions that a federal agency
24 can -- can cite to reject a FOIA request, and this is
25 exclusion 4, which is the trade secret, proprietary

1 information exclusion. That's all they cited.

2 FACILITATOR KERN: Is there any -- is
3 there any objection to filing an appeal on this?

4 All right. Any -- from you, Dave. I know
5 you said it wasn't necessarily -- but I think we should
6 at least -- we put enough work into in that I would want
7 to get the appeal in and then I think using this process
8 to alert others that this information isn't forthcoming
9 and it shouldn't be a trade secret at this date this
10 many years after the fact.

11 I mean, that's my non-legal opinion,
12 but --

13 MS. TRIGIANI: Yeah, and how long --

14 MR. SUTTER: I don't think the issue is
15 insurance at all. There's something else going on here
16 which is being -- kept confidential.

17 FACILITATOR KERN: Sara and then George.

18 MS. SEGAL: It seems to me Zurich that is
19 claiming a proprietary issue and their lawyers and I
20 think as long as we've gone this far, we -- if we miss
21 the deadline for the appeal, then it's over, so we might
22 as well push it to the end and see what happens.

23 FACILITATOR KERN: George.

24 MR. DIES: I would say they weren't
25 writing policies. There aren't that many base closures.

1 Therefore, their argument doesn't hold water.

2 FACILITATOR KERN: All right. Well,
3 we'll get something.

4 Thanks, Dave.

5 So we have for next meeting this
6 commissary issue, scheduled update and we'll report on
7 the appeal that we got in.

8 And anything else, get to us so we can get
9 on the agenda.

10 Any other items before we close?

11 MS. SEGAL: The -- are we -- did we
12 follow up on this TEA grant meeting?

13 MR. COOPER: By the --

14 MS. SEGAL: If we can, because that's on
15 the 23rd.

16 MR. COOPER: We can talk about it at the
17 committee meeting or the next October -- or the October
18 RAB meeting, either one.

19 FACILITATOR KERN: Okay.

20 Anything else before we close?

21 Thanks to everyone for coming out tonight.
22 Without objection, meeting adjourned.

23 (The meeting concluded at 9:36 PM).

24 ---o0o---

25

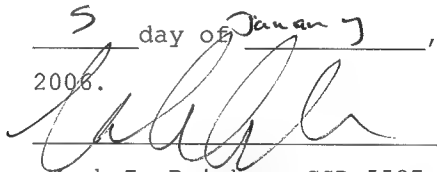
1 STATE OF CALIFORNIA)
2 COUNTY OF SAN FRANCISCO)
3

4 I, the undersigned, hereby certify that the
5 discussion in the foregoing meeting was taken at the
6 time and place therein stated; that the foregoing is a
7 full, true and complete record of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the
10 foregoing meeting and caption named, or in any way
11 interested in the outcome of the cause named in said
12 action.
13

14 IN WITNESS WHEREOF, I have
15 hereunto set my hand this

16 5 day of January,
17 2006.

18 
19 Mark I. Brickman CSR 5527
20
21
22
23
24
25

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS
TUESDAY, OCTOBER 11, 2005
OFFICER'S CLUB, BUILDING 50
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:
Doug Kern, Facilitator
Craig Cooper
Brian Ullensvang
Mark Youngkin
Deven Dernarala
Sam Berman
Jan Monaghan
Julian Hultgren
John Budroe
Gloria Yaros
Michelle Passero
Jan Blum
Edward Callanan
Bob Boggs
George Dies
Also Present:
Bill Bir
Mark Frey
Andrea Andersen
Jeff Deis

---oOo---

BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on October 11, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

---oOo---

AGENDA

	Page
1) Welcome and Introductions - Doug Kern:	4
2) Presentation of RAB member service awards	5
3) Reports & Discussions	
* Update on fillsite 6 - current status	14
* Landfill 10 discussion with models - not discussed	
* Results of meeting with Craig Middleton	60
4) Adjournment	83

1 FACILITATOR KERN: Good evening, everyone.

2 I'd like to welcome everyone tonight to the regularly
3 scheduled meeting of the Presidio Restoration Advisory
4 Board. Welcome to the Presidio Trust, National Park
5 Service, our regulatory community, RAB members, community
6 RAB members and members of the trust and other members of
7 the trust and the contractors.

8 I would -- I think I would just like to
9 introduce a couple of people that are here in our audience
10 tonight. Of course you know Mark is here with the trust
11 and Andrea Andersen --

12 MS. ANDERSEN: Yes.

13 FACILITATOR KERN: -- who is an attorney
14 with the trust and working on environmental issues and
15 relatively new, as I understand.

16 MS. ANDERSEN: It's just been a month that
17 I started working with the trust.

18 FACILITATOR KERN: Thank you for coming
19 tonight.

20 And we have Jeff Deis, the chief operating
21 officer for the trust. There's so many acronyms that we
22 use here, I want to make sure I have that right, and we
23 welcome him tonight.

24 Before we get started, I want to make sure.
25 Does everyone have an agenda? Are there any announcements

1 or old business before we get started?

2 Before we begin our regularly scheduled
3 program, tonight is a particularly important evening. We
4 have some of our members who have served with us now for
5 ten years, and that is really a remarkable contribution to
6 this group, and so I think I'd like to say just a few
7 general things and maybe I'll have some of these folks say
8 a few things, and then maybe a few specific things and
9 then we can just comment for a couple of hours on the
10 great contributions that have been made, and actually,
11 Jeff is going to have to take off soon, but we're pleased
12 to have him here to help presenting these awards tonight.

13 So what does it really mean that some of
14 these folks have worked with us now for ten years on this?

15 Well, we go back to the early days when the
16 Army was here and we were having four meetings a month or
17 more, many, many meetings during the day, and it was
18 really quite a different setting.

19 So the people that have been around here
20 those long years bring a perspective of -- of years and
21 also just how much has been accomplished essentially since
22 the Army has left.

23 There's been a great deal accomplished in
24 the programs since the Army has moved on, and these three
25 people that we're going to recognize have had a tremendous

1 influence on how that was done.

2 So let me just ask Craig or Jeff, did you
3 have anything in general that you wanted to add? And then
4 we can talk about the three individuals.

5 MR. COOPER: In general, no. Just -- I
6 have some thoughts about each of the people.

7 MR. DEIS: I have something in general.

8 FACILITATOR KERN: Go ahead.

9 MR. DEIS: I find it very remarkable to
10 find people committed to an organization like this for
11 such a period of time as you all have been.

12 I understand that the three people we're
13 recognizing tonight aren't the first ones that have been
14 here for ten years, that we actually have people that have
15 been committed for eleven years like yourself, Doug.

16 And so I just -- in this day and age when
17 people move from job to job -- and I think the average
18 tenure of someone at a job is maybe four or five years,
19 something like that, and you don't see people committed to
20 an organization or a cause or a job for a real length of
21 time like perhaps was more common in the past, I find it
22 remarkable and impressive that this group has been around
23 for so long that there's so many people committed to it
24 and that you've got three people today that have been here
25 for ten years.

1 I think it's remarkable given how the rest
2 of the world seems to work sometimes. So I just want to
3 thank you all.

4 FACILITATOR KERN: I just wondered how to
5 pick an order, so I just picked alphabetical order.

6 The first person that we'd like to honor
7 tonight is Julie Cheever.

8 (Applause).

9 FACILITATOR KERN: And we'll embarrass you
10 a lot by having you up here. So here is a certificate.

11 MS. CHEEVER: Thank you.

12 FACILITATOR KERN: Thank you, and --

13 MR. COOPER: Commemorating her with a ten-
14 year plaque.

15 MS. CHEEVER: Oh, wow. This is very nice.

16 FACILITATOR KERN: So Julie has helped us
17 over the years, keeps us really honest with our
18 newsletter, and she's really been a voice for -- and when
19 some of us, myself in particular, felt more radicalized
20 and more passionate, she was always a voice of reason and
21 control, and I think that contribution has served us very
22 well over the years.

23 So thank you very much.

24 MS. CHEEVER: Thank you.

25 MR. COOPER: I'd like to echo those

1 remarks, and Julie has also been very welcoming and easy
2 to talk to, and when a RAB member is easy to talk to, it's
3 easy to provide information and not worry about having to
4 bundle it up in a pretty bow all the time.

5 So I appreciate that sense of, you know,
6 casualness and you always seem to have a question that is
7 right out there in front of everyone that sometimes people
8 will miss, you know, and it's oftentimes a pretty
9 straightforward and common sense question that we've been
10 kind of buzzing around, but you are able to kind of
11 condense it into a single point, and I want to thank you
12 again for the help with the newsletter.

13 We need to probably put out another edition.
14 You know, we can do that any old -- any time. The editor
15 of the Presidio Post is, you know, always interested in
16 articles, and thank you very much.

17 MS. CHEEVER: Thank you.

18 MR. COOPER: Yeah. So that's it.

19 FACILITATOR KERN: Go ahead.

20 MS. CHEEVER: First of all, I'm in very
21 distinguished company with Mark and Brian that have made
22 very big contributions, and Jan and Doug who are now in
23 their eleven-year mark.

24 I always thought of myself as kind of a
25 generalist and not an expert, but it combines

1 environmental issues, issues of public assets to a
2 wonderful park, and I've also learned about some new
3 fields like geology, chemistry and I could possibly even
4 add military psychology. It's been very rewarding.

5 (Applause).

6 FACILITATOR KERN: Thank you.

7 Our second honoree tonight is -- is with the
8 National Park Service and has contributed a huge amount to
9 the park. He's really -- if you want to know a detail
10 about any site, if you want to know the history about any
11 site, this is a person that has the big picture and the
12 details all wrapped into one ball, and that's Brian
13 Ullensvang.

14 (Applause).

15 MR. ULLENSVANG: Thank you. Thank you.

16 MR. COOPER: Congratulations.

17 So what I have to say about Brian is, you
18 know, he and I used to work at the Environmental
19 Protection Agency and I really didn't know him very well.
20 We worked on different floors and different branches, but
21 he was definitely a name to be reckoned with.

22 When I came into the Superfund project at
23 Region 9 in 1989, his name was very well-known as one of
24 the best remedial project managers that we had at the
25 agency, and I remember as a trainee project manager, EPA,

1 that I went to one of his sites in LA and he gave -- gave
2 us training, the tour, and I was very much in awe of his
3 knowledge of the site and he just seemed to have
4 everything at his command, and I was like wow, maybe one
5 day I'll be a project manager like that.

6 So here I am several years ago, it's way
7 past 1989 now, and I've gotten a chance to work with
8 Brian; not only on a professional level, but a personal
9 level, too, since we pretty much talk and meet every
10 single day and for the last almost four years now that
11 I've been at the trust, and it -- you know, every day, you
12 know, he brings a perspective that I can learn from and
13 something that I continue to aspire as to kind of keep up
14 with his ability to understand the facts and figures
15 behind the site.

16 I'm oftentimes saying, "Okay, Brian, I'll
17 have to check into that" because I've forgotten what
18 sample point LF-27 actually was for PCBs, but he
19 definitely keeps me on my toes, but he does it in a way
20 that is very professional and I continue -- I look forward
21 to a continued good working relationship.

22 MR. ULLENSVANG: Thank you.

23 I just want to say this is a great group and
24 it hardly seems like ten years. It's a hard working
25 volunteer group here.

1 (Applause).

2 FACILITATOR KERN: Our final honoree
3 tonight, Mark Youngkin, came in and one of the first
4 things he did I think within the first year was do a
5 research report in the archives that pretty much knocked
6 the Army back on its heels.

7 Basically they thought well, we've done our
8 research and Mark walked in and said, "You haven't really
9 done your research. Check this stuff out," and I think
10 that's really where he's contributed technical and sort of
11 business savvy to this group in a way that was always
12 common sense, what's the big picture, and then when it
13 came down to the details, he certainly -- when Mark
14 speaks, it carries a lot of weight.

15 So thank you, and come on up.

16 (Applause).

17 MR. COOPER: Congratulations.

18 So just a few things. What the plaque
19 says -- if you're interested, it says: "Presidio San
20 Francisco Restoration Advisory Board, Mark Youngkin, Ten
21 Years of Dedicated Service 1995 to 2005," and all three
22 plaques say the same thing with different names, of
23 course.

24 MR. YOUNGKIN: Very nice.

25 MR. COOPER: Just a few things that I'd

1 like to say about Mark that kind of recognize this
2 accomplishment.

3 You know, I have been on many other RABs
4 when I worked at the -- at the EPA, and one thing that
5 struck me, since he is your official community co-chair
6 and I'm your official agency co-chair is that we haven't
7 really gotten hung up on those titles whatsoever.

8 The other RABs that I worked on, those were
9 very strict roles and the community co-chair made it
10 clear, you know, what his roles were and there was
11 sometimes a battle between the agency and community co-
12 chair, who was going to run agendas and stuff like that,
13 and it's been a real pleasure working with Mark.

14 It's been really easy to run the agendas and
15 just -- you basically have set the tone for how you want
16 RAB members -- how RAB meetings should go.

17 Of course all the RAB members, you know,
18 have, you know, participated in that, and -- and as Doug
19 said, you know, because of Mark's research on the Army, we
20 have a whole universe of sites that the trust now needs to
21 follow up on.

22 We're calling that the miscellaneous sites.
23 We can call them -- we also call them the Youngkin sites.

24 As the trust is just starting to dive into
25 those sites, we'll be giving you updates on those sites,

1 and I'm sure Mark's going to be interested in learning
2 about some of the details of those sites and how they're
3 turning out, but I just want to say thanks again. Thanks
4 for welcoming me to the RAB as the agency co-chair and I
5 look forward to working with you in the future.

6 MR. YOUNGKIN: I want to say it's been a
7 real pleasure working with everybody here. It's been a
8 real interesting group. A geologist sees a very narrow
9 focus and this has been a broad education, a lot of
10 different things.

11 It's been a little bit more interesting with
12 the Army because it was so confrontational. It's
13 definitely still interesting.

14 I hope that a few years from now we can wrap
15 all this up and ten years from now we won't be giving Doug
16 another plaque and myself.

17 Thanks all of you.

18 (Applause).

19 MR. DEIS: I'm sorry to leave. I have
20 another commitment.

21 MS. CHEEVER: Thank you for coming.

22 MR. DEIS: I was telling Doug, I'd be happy
23 to come in the future, so we'll find another time.

24 Thanks.

25 FACILITATOR KERN: Thank you.

1 We have three major items to talk about
2 tonight. Perhaps a quick update on where we stand with
3 our -- with fillsite 6 on the cleanup and restoration.

4 The landfill 10 discussion, carry that over
5 from our committee meeting two weeks ago and three of us
6 met with Jeff and Craig and Craig Middleton today and we
7 can talk about how that meeting went and what came out of
8 that meeting.

9 So looking forward to a productive meeting
10 tonight.

11 So Craig, on fillsite 6, I heard a rumor
12 today -- so I thought if I'm hearing rumors about this, I
13 better check in with you -- that the cost is tripled or
14 something on fillsite 6.

15 So any word on how the site is going and if
16 you could touch on --

17 MR. COOPER: The cost.

18 FACILITATOR KERN: The cost.

19 MR. COOPER: Did anyone bring the most
20 recent quarterly financials?

21 MS. MONAGHAN: I have it.

22 MR. COOPER: We could take a look at that.
23 That would be as of August -- we have to check to see what
24 that is, but basically it's fillsite 6-a, what Jan's
25 pulling up the cost information.

1 The waste removal is substantially complete.
2 There's a -- a confirmation -- we're checking the
3 confirmation samples now to make sure they're in
4 compliance with the RAB.

5 There's one particular confirmation sample
6 that the trust is going to have to do a little follow-up
7 work on and we're taking responsibility for that.

8 I should have checked in with Bob at a
9 certain point in time during the cleanup and we didn't do
10 that. There was a little screw-up in the communications,
11 but we're following up on that one confirmation sample
12 just to make sure that we have a complete waste removal at
13 spot two, and then -- and as you know, concurrent with
14 that process, we have some kind of -- some tidying up
15 completion stuff with respect to the confirmation
16 sampling, but no more wholesale excavation work.

17 And then once we get clearance from -- from
18 DTSC that all the confirmation samples are fine, there are
19 portions of the site that we're going to be backfilling to
20 bring them up to certain design grades, and my goal is to
21 minimize the amount of backfill that we bring to the site.

22 This is over on the -- we're not going to
23 backfill on the creek side. We'll be talking about that
24 in a second.

25 The landscape side near Girard, there will

1 be backfilling there so we can bring it up to the grade so
2 there's future land portion of the site. There's a future
3 trail that will be put in. To backfill to help work that
4 trail out and so on.

5 So that's going on, and then, you know, on
6 the other side where the creek is, you can see lots of
7 work going on there. Consultant -- our specialized creek
8 consultant has been in there for a couple weeks now, and I
9 think last time we showed some pictures of them, you know,
10 they pretty much have now put in the meanders the way they
11 would like.

12 They put in some logs at certain terms to
13 stabilize the creek. They've actually brought in some
14 boulders to help stabilize the creek, and the creek
15 construction now is well underway, and we need to get the
16 site buttoned up, you know, officially by October 15th,
17 but hopefully, you know, by the end of October before any
18 heavy rains start because we want to minimize the amount
19 of -- of erosion, soil erosion that will go into the --
20 into the stream itself once it's released back into the
21 wild.

22 So I know that maybe you guys have been
23 driving by and taking a look at it.

24 Any questions about -- anything look odd to
25 you or -- mm-hmm.

1 MR. BERMAN: When do you expect the back-
2 fill to actually occur on the Girard side?

3 MR. COOPER: Well, we need to take some
4 samples. We hope to follow up on this one confirmation
5 sample.

6 MR. BERMAN: You can't do the back --

7 MR. COOPER: I would say within, you know,
8 two weeks -- in about two weeks from now. Maybe -- you
9 know, and actually we're double-checking the confirmation
10 samples, not where we plan on backfilling.

11 MR. BERMAN: Okay.

12 MR. COOPER: Maybe I could talk to Bob
13 about bringing in some backfill over on Girard side as
14 long as we can get access to that place that we're double-
15 checking.

16 So this month, we'll definitely be bringing
17 in the backfill.

18 MR. BERMAN: All right. Thanks for
19 clearing that up because I was confused that the
20 confirmation samples might actually interfere with the
21 backfill, but you said that they're really not in --
22 they're not located in the same area, so that in fact
23 that's not a problem.

24 MR. COOPER: Right. It's just kind of good
25 practice in general just to kind of wait until you get the

1 final clearance on all your confirmation samples before
2 you start backfilling, so I could work out those details
3 with Bob.

4 FACILITATOR KERN: For Craig or Mark or
5 Brian, there was -- at one point, there was a trench --

6 MR. COOPER: Mm-hmm.

7 FACILITATOR KERN: -- cut through and there
8 was a spring that was leaking into the site, and I'm
9 just -- as a general question, is the working of the
10 creek, you know, kind of the construction of it, is it
11 working out as planned? Have there been glitches? What
12 are they?

13 MR. COOPER: Yeah.

14 FACILITATOR KERN: How stable is the creek
15 looking towards going into the winter?

16 MR. COOPER: There was a pretty major
17 spring that you noticed coming in from the corner where
18 Lincoln and Girard come together.

19 That corner -- once we took all the waste
20 off, we exposed a lot -- a very significant spring or
21 seep -- basically is the same thing -- and what that
22 really created was that whole kind of corner kind of going
23 into the -- where the stream's going to come.

24 It was just saturated, muddy portion of the
25 site, and our stream construction consultant said that

1 there -- if we didn't do something to try to dry up that
2 corner, that they were really concerned that we were going
3 to have a total blowout of the creek around that meander
4 as it tried to, you know, go by that first -- first --
5 once the creek starts, maybe the first hundred or 200 feet
6 of the creek is where the seep was coming in and we were
7 really concerned that once this winter came, when the
8 stream water hit that really softened, you know, saturated
9 bank, that it would just start eroding away.

10 So what we did is that we put in a little
11 like basically a French drain system, if you've put some
12 drainage around the foundation of your house is that you
13 put down a trench and you put some gravel at the bottom of
14 it, and so this -- the seep water that's basically shallow
15 groundwater will go into that trench and then it -- we're
16 basically detouring that water and then bringing it back
17 into the stream, but further down -- downstream, about
18 halfway or two-thirds of the way down the site is where
19 the French drain brings that seep water into the stream.

20 So we've seen a good result from that. It's
21 dried up -- a lot of that area is now dried up so that we
22 can actually start to compact it and, you know, we've got
23 more hope that that first meander of the stream won't blow
24 out due to the seep.

25 The bank right up next to it is still pretty

1 wet on the -- is like here's where the stream is and the
2 seep was coming in this way. We put in a little cutoff
3 that kind of went that way, and the zone in between the
4 cutoff and the -- and where the stream is is still pretty
5 wet, but it's not as big as it used to be.

6 What -- it used to go up to almost the
7 corner of Lincoln and Girard way up in that corner.

8 So we definitely have reinforced that first
9 corner -- that first turn of the stream as best we could.
10 I -- when it starts raining and water starts flowing down
11 the stream, we -- there will be, you know, some erosion,
12 you know.

13 We're going to try to minimize it. I'm sure
14 this first year is going to be -- kind of you do the best
15 you can and then you let the stream do, you know, what it
16 needs to do, and we just didn't want it to get too out of
17 control this first year because the willows are just going
18 to start growing.

19 There's going to be -- as far as risk of
20 major erosion, it's going to be this first year, you know.
21 By the second and third year, the vegetation's really
22 going to start taking hold and we're going to get a lot of
23 help from the vegetation, but for this first year, we had
24 to do what we could to minimize the vegetation.

25 So any other glitches? I can't think of any

1 at this point.

2 FACILITATOR KERN: I think Mark --

3 MR. FREY: I just wanted to add that that
4 will be the area that we're going to plant first, so
5 hopefully throughout the first half of the winter, that
6 plants will be put in and that little area will start
7 putting the roots out, so the second half of the winter,
8 it will be providing a lot more stability.

9 I was there today and it looks a lot better.

10 MR. COOPER: Mm-hmm.

11 FACILITATOR KERN: Any other --

12 MS. MONAGHAN: Do you want the math?

13 FACILITATOR KERN: Pardon me?

14 MS. MONAGHAN: Do you want the math?

15 FACILITATOR KERN: The math.

16 MS. MONAGHAN: As of June 30th, the project
17 was 47 percent complete. It cost \$2,187,000.

18 Completion's supposed to be 2,500,000, and it was
19 projected to be a hundred thousand dollars over budget.

20 MR. COOPER: Okay.

21 FACILITATOR KERN: Any --

22 MR. COOPER: Let's see how that -- I
23 haven't heard of anything super scary since that June
24 update. There's been a couple change orders, so nothing.

25 FACILITATOR KERN: Nothing like two or

1 three times the cost?

2 MR. COOPER: No.

3 FACILITATOR KERN: Okay.

4 MR. COOPER: No, no, no, no, no. Yeah. So
5 a couple hundred thousand over.

6 FACILITATOR KERN: Okay. Any other
7 questions on fillsite 6?

8 Last -- two weeks ago, we were successful in
9 building models for landfill 10, and the RAB members came
10 together with the nicely prepared materials by the trust
11 and their contractors to actually build models of
12 different alternatives of landfill 10, and this was
13 primarily to help us -- well, see the differences in the
14 alternatives and to generate discussion around this site
15 because of the cost, anywhere from four to six million
16 depending on the alternative, and this is a -- primarily a
17 capping alternative.

18 So we're going to be moving some material
19 and we're going to be putting a cap and building a parking
20 lot, protecting low bows creek, building in some new
21 habitat, but it's really meant to -- for us so that we
22 could really understand why is this an important -- why
23 did it cost four to six million to just kind of scope this
24 area and maybe what kind of questions -- other questions
25 we might generate.

1 So we thought we would continue the
2 discussion, bring the -- these models, spread them out
3 here somewhere where everyone could get around them.

4 Maybe --

5 MR. COOPER: I don't know.

6 FACILITATOR KERN: -- on the front.

7 MS. MONAGHAN: Up there.

8 FACILITATOR KERN: And then we'll talk
9 about the -- the differences between the models and the
10 cost and see what kind of additional discussion gets
11 generated.

12 But those of you that were there two weeks
13 ago, I hope you can start the discussion and bring in the
14 other RAB members on where we are.

15 Okay. So we'll sort of put these models
16 out, and there's one that's the current situation.

17 MR. COOPER: Right.

18 FACILITATOR KERN: And then three of the
19 alternatives. Let's see if anybody can see the
20 differences.

21 MR. BERMAN: Doug, I've got a question. In
22 prior discussions --

23 FACILITATOR KERN: Excuse me one sec. We
24 have a question.

25 MR. BERMAN: In prior discussions, I

1 thought there was going to be a request to the contractor
2 that they would supply some computer modeling so we could
3 get something besides the scale models here, but something
4 that was done with a CAD program so that we could actually
5 look at it in various perspectives.

6 So has any -- and that's not in the landfill
7 10 report. There's nothing like that in there.

8 Was that considered to be too expensive and
9 not worthwhile doing or is it still up for discussion?

10 FACILITATOR KERN: I would say it's up for
11 discussion as a possibility. This was the most readily
12 accomplished.

13 I don't know the particulars about the
14 answer to that as far as cost or effort required, but I
15 don't think it's off the table.

16 MR. COOPER: Yeah, you know, before I -- I
17 went on a two-week vacation at the end of September, and
18 both of these things -- you know, he was talking to EKA
19 about, and I think they got focused on this.

20 So was it discussed -- was the three-day
21 stuff discussed at the September RAB committee meeting?

22 FACILITATOR KERN: No. We had enough to
23 do.

24 MR. COOPER: You were busy creating these
25 things.

1 Let me follow up on that. I'll send a
2 follow-up e-mail to Doug and Mark and they can distribute
3 it about that.

4 I don't know if EKA -- they had some
5 preliminary ideas, but it slipped off my radar screen.
6 I'm sorry, Sam. I'll follow up.

7 FACILITATOR KERN: So I encourage people to
8 come around on this side and this side to see these -- the
9 handiwork.

10 This model on this far end is the existing
11 conditions, and then the models to its left, my left are
12 showing different -- primarily different slopes in these
13 areas.

14 MR. BERMAN: Yeah. Where the gradient is
15 large for the seismic stability, but the great puzzle is
16 when you need the appendix of the report and you look at
17 it, you have absolutely no idea of why the cost is what it
18 is, and, you know, that's why it would be really nice to
19 see the steps -- those steps provided by the contractor
20 because, you know, I think this is nice, but why is it
21 that that's just that great, you know -- changing the
22 gradient there is costing so much?

23 It's all the stability that has to be
24 provided in it, too, I guess, but --

25 MR. ULLENSVANG: It's more than just zoning

1 that goes into it. They're putting the new cover on and
2 getting it ready for the new cover. It just depends on
3 the element.

4 MR. BERMAN: But the cover's the same for
5 all the alternatives.

6 MR. ULLENSVANG: It's essentially the same.
7 There's different reinforcement depending on the slope
8 quality.

9 MR. COOPER: Just so everybody -- I don't
10 know if everybody was hearing what Doug is saying. This
11 is the base place right now, so you can see the really
12 steep slope that's existing right now and these are the
13 three preferred design options that the trust is
14 recommending in the feasibility study.

15 So you can see how the slope obviously is
16 cut back, not as steep in each one. There's various
17 nuances about the different grades.

18 MR. ULLENSVANG: Yeah.

19 MR. COOPER: E, F and G.

20 MR. ULLENSVANG: They're for discussion in
21 the report, and roughly this -- these two and its northern
22 section are the same -- do I have that right?

23 MR. COOPER: Mm-hmm.

24 MR. ULLENSVANG: That one over there is cut
25 back more shallow. These are a two to one slope, so for

1 every two feet it goes sideways, it goes up one, and that
2 one for every two and a half feet it goes horizontal, goes
3 up one. So it's a little bit more shallow in this area.

4 In the middle section, you'll see that this
5 is a two -- two and a half to one slope. This one is a
6 three to one slope at the bottom and two to one slope at
7 the top. So it's a compound slope which gives it more
8 variety.

9 One of the factors that many people feel
10 contribute to the aesthetic is lack of uniformity of the
11 slope. If it's broad all the way slope, it looks very
12 artificial, whereas if you get some break up in the
13 quality of the slope, you have a different aesthetic to
14 it.

15 Also, the shallower slopes are expected to
16 have different habitat qualities than the steeper slope,
17 and different types of plants may live there.

18 This one is a constant two and a half, so
19 these two are the same in the middle. And I believe all
20 three of these are the same in Lobos Creek, which is a two
21 to one and they're all pulling back ten feet from where it
22 is today. There's less opportunities for variation in the
23 south.

24 MR. HULTGREN: These are two and a half to
25 one.

1 MR. ULLENSVANG: This is two and a half.

2 MR. HULTGREN: What was this over here?

3 MR. ULLENSVANG: This one is two and a half
4 to three to one and this is two and a half to one, the
5 whole thing, and that's a different combination of slopes
6 that make different alternatives and there's one that had
7 two to one the whole way and it had different features.

8 Amongst the whole mix of pros and cons,
9 these three the trust and the park service felt
10 were superior than the mix in the other ones, and at this
11 point -- at least the park service doesn't feel that one
12 of these is far superior to the other three.

13 MS. BLUM: Is not?

14 MR. ULLENSVANG: Is not far superior.
15 There is more work to be done. That's one reason to get
16 more input and what the pros and cons are amongst these
17 three alternatives.

18 MR. BOGGS: Really with the five-year
19 alternative review says the reason we have to do something
20 with this landfill is the potential for earth -- failure
21 and earthquakes.

22 MR. ULLENSVANG: And each of these will
23 meet the same standards which the existing conditions do
24 not, and there's some nuances to exactly that.

25 The report goes into great technical detail

1 about the calculations that went into it to show this was
2 not suitable, didn't meet the standards, but these each
3 are thought to meet the same standards.

4 MS. BLUM: When you have different
5 components in these manmade slopes, do any of the
6 ingredients have a positive or more of a negative
7 influence on the habitat that will be planted? Because it
8 seems like they're all about aesthetics at this point plus
9 cost.

10 MR. ULLENSVANG: Yeah. There is some
11 difference, and I didn't get to look in time to get him to
12 some come tonight and he can talk more about the
13 subtleties of the habitat.

14 One thing we can stand back one level from
15 the specialists because here you've got deep slopes and
16 shallow slopes.

17 The shallow slopes are thought to be more
18 similar to the natural slope out here where the habitat is
19 and that might be more commensurate to allow the
20 habitat -- Lessingia habitat to allow to expand out there
21 where some of the steeper slopes may not be as suitable,
22 and I'm not sure -- I don't want to put words in his
23 mouth, but I'm not how certain that difference is.

24 MR. FREY: I heard a little bit about how
25 the rain comes through here and the relationship between

1 slopes. A certain level of disturbance is appropriate. I
2 feel I don't know if we can answer the question may be the
3 short answer.

4 MS. BLUM: Are we dealing with the historic
5 forests here in this remediation?

6 MR. ULLENSVANG: We are in the vegetation,
7 we have the still management zone.

8 MS. BLUM: All right.

9 MR. ULLENSVANG: So there's that factor in
10 here.

11 On the landfill with a cap, it's generally
12 not appropriate to be having a tree situation, so -- and
13 you can't do this sort of construction with trees. The
14 trees on the landfill will be preserved.

15 MR. BERMAN: Jan, I thought your question
16 was about the materials used in the stabilization and
17 their effect on the habitat. That's what I thought you
18 were saying.

19 MR. ULLENSVANG: I'm sorry. I missed that.

20 MS. BLUM: I'm sorry. It's all information
21 now.

22 MR. ULLENSVANG: To different degrees and
23 not yet -- more of a design determination than here, but
24 there's -- the sand that will go under the scope here is
25 not an inherently stable.

1 Sand slopes tend to flatten out over time,
2 and there's a synthetic reinforcement that is placed in
3 the sand for steeper slopes here and that gives the sand
4 more capability to stay on the slope, and that does vary
5 amongst them, and that's a very broad grid of product.

6 There's different brands of products, so
7 they're configured differently, but it would be like a
8 large mesh or a large chicken wire made out of plastic
9 material.

10 MR. FREY: Very large.

11 MR. ULLENSVANG: Like maybe two inch holes,
12 four inch holes, and the expectation is that that would
13 not have significant influence upon that. Depending on
14 how many layers you need, it would either be halfway --
15 five feet of sand is the target conceptual depth right
16 now. It would either be in the first third, the first
17 half of two layers make five feet.

18 So it would be roughly two and a half -- 24
19 to eighteen inches deep would be the shallowest layer of
20 synthetic material, and -- which would be able to go
21 through it and would be fully covered.

22 MS. BLUM: I think the sand is all shifting
23 around.

24 Won't it shift off its plastic at some point
25 and will be left with a plastic slope?

1 MR. ULLENSVANG: Because it's a grid, it's
2 not going to have the slippery nature that others would
3 have, and that's the concept with this material is if you
4 were putting a plastic lawn bag down, the sand would slide
5 right off, but because it has these big holes in it, the
6 sand can interact through this plastic and hang on tighter
7 than if it were just plastic, and that mesh that's inter-
8 woven with the plastic -- was sand gives the sand some
9 strength.

10 MS. YAROS: Does it assume that anything
11 will grow through that mesh?

12 MR. ULLENSVANG: It's assumed that anything
13 will grow through that, yes.

14 MS. YAROS: It won't be sand all the way
15 down.

16 MR. ULLENSVANG: Yeah. There will be
17 plants rooted into the sand. That's the idea. It
18 provides a rooting medium, but even with roots, the --
19 when you do the engineering, you don't count on roots
20 necessarily helping you.

21 You assume it's virgin bear sand when you do
22 the calculations, and so you give it some strength with
23 this geo textile.

24 FACILITATOR KERN: If minimizing costs were
25 the primary goal that there wasn't a habitat goal and

1 there wasn't a parking goal, is there any other kind of an
2 alternative that could be done to that area to radically
3 reduce the cost from the four to six million dollars to,
4 say, 500,000, a million, somewhere in that range? Just
5 some very radical thing that we're not examining here at
6 all?

7 MR. ULLENSVANG: Something of that nature
8 was not examined. Cost was one of the factors that was
9 there. So the way the feasibility study had is set out so
10 that you can mix and match the features amongst the
11 alternatives.

12 So if you liked one thing in the northern
13 third and another concept in the southern third, the whole
14 document's set up so that you could create a new
15 alternative with the pieces that are in there. The cost
16 estimates are all dividable.

17 I don't recall if there was a concept that
18 was developed that would be very low cost alternative.

19 FACILITATOR KERN: Right.

20 MR. ULLENSVANG: A lot of these things are
21 constrained with having to cut off a significant amount of
22 material and there's a large cost for that, and there
23 wasn't a technology that was explored that would inject
24 blue into it or something of that nature.

25 For those of you who have been following it,

1 we talked about buttressing the piles. Well, it was
2 determined as they did the analysis that the weakest point
3 in the slope is actually the sand underneath the slope.

4 So that in an earthquake, that's where the
5 failure would be.

6 So to strengthen it, you have to dig out all
7 the strength in the sand and then you can put the material
8 back on. So that becomes very expensive because you're
9 moving so much material.

10 So it wasn't a concept that -- I think we
11 first may have heard strengthening the hillside didn't
12 appear to be adequate to prevent the seismic --

13 MR. COOPER: A simple buttress alone.

14 MR. ULLENSVANG: -- or just driving
15 basically pins through the landfill wasn't adequate to
16 deal with the subsurface strength or weakness problems.

17 MR. DIES: But it sounds like to minimize
18 costs, you'd have to compromise something like Lobos
19 Creek?

20 MR. ULLENSVANG: None of this has any
21 impact on daylighting -- the creek is daylighted and the
22 only thing that's moving about ten feet.

23 So that the toe of the landfill in all these
24 is about the same place.

25 MR. COOPER: Where we can, you know -- if

1 we really wanted to focus on cost --

2 MR. DIES: Right.

3 MR. COOPER: -- it would be not daylighting
4 the creek, but right now there's a certain risk -- even
5 after the remedy, there's going to be a certain amount of
6 risk to the creek.

7 Even after -- nothing's guaranteed a hundred
8 percent, but we have a very high -- this remedy's
9 protecting the creek a great deal, and so if we wanted to
10 cut back on costs, that would mean maybe coming up with a
11 remedy that might have a little bit more risk to the
12 creek, and so that would be --

13 MR. DIES: From an earthquake?

14 MR. COOPER: During an earthquake event,
15 right.

16 So again, we didn't -- we didn't look into
17 those alternatives in the feasibility study. We
18 basically -- once you kind of get into developing, you
19 know, these ARARs compliance with state and federal laws,
20 they pretty much start binding you to certain -- what you
21 can do and what you can't do and what's an acceptable, you
22 know, deformation to a landfill during an earthquake, and
23 all these rules start kicking in that start kicking out
24 some of the lower cost ideas.

25 Also, real fast. We should have said this

1 at the beginning. The trust -- the Presidio Trust
2 feasibility study is recommending -- we're calling it
3 alternative 2, and these are just three of our preferred
4 design options for alternative 2, and when -- and so
5 remember at our -- it was a committee meeting two months
6 ago, I think we talked about the real question to the
7 public is to choose amongst, you know, alternative 1, 2, 3
8 or 4, you know, and the real -- you know, because
9 alternative 2 is a permeable -- to reconfigure the
10 landfill to a more seismically stable configuration and
11 then cover it with -- basically what we call a permeable
12 cover, sand only, and alternative 3 was to reconfigure the
13 landfill to seismically stable configuration, then put
14 down a basically synthetic layer of some type and then put
15 the sand over the top of that, and that would reduce, you
16 know, more rainfall and trace it into the landfill.

17 Now, we think -- the trust thinks that
18 alternative 3's not necessary, that we don't need that
19 synthetic layer in the middle of our landfill cap, that
20 just these layers of soil and sand over the top of it will
21 be sufficient, but that's something that, you know, we'll
22 be asking the RAB and the greater public when this -- when
23 this document goes out at the end of the Remedial Action
24 Plan goes out to the public, we'll be asking for comments
25 on that.

1 But if you have any ideas about the design
2 options, you know, supplementary comments, we're open to
3 those, as well.

4 MR. DIES: Let me recap. You're going to
5 have a cap layer of sand, then large plastic mesh, then
6 more sand with ground cover on it?

7 MR. ULLENSVANG: The bottom layer is sand.
8 So you have waste. You would -- the top layer of the
9 waste would be manipulated to remove large objects so that
10 they wouldn't puncture the plastic layer.

11 Then on top of that foundation layer, which
12 would not be imported or place sand. Material with rocks
13 and trees.

14 MR. DIES: So you're laying down the cap.

15 MR. ULLENSVANG: Then you'd lay down the
16 cap on the waste, which would be a layer of plastic, then
17 chicken wire and then the sand.

18 MR. DIES: And shaken.

19 MR. ULLENSVANG: The geo tensile the --

20 MS. CHEEVER: How much waste will be
21 removed?

22 MR. ULLENSVANG: They're slightly
23 different. I don't have the document here. It's on the
24 order of about 7 to 14,000 cubic yards will be removed,
25 but much of it is moved on the site, and if you were to

1 look in the existing conditions, you can see how sharply
2 the parking lot -- current parking lot slopes down to the
3 neighborhood right now.

4 In these other configurations, the parking
5 lot is flatter. So this area down in here has come up
6 quite a bit from -- so that this -- this amount of waste
7 here is removed from the slope and reconfigured under the
8 land -- on the top of --

9 MR. COOPER: This area here.

10 MR. ULLENSVANG: -- to create some balance,
11 and that is the way to reduce the cost.

12 MS. CHEEVER: Some waste.

13 MR. ULLENSVANG: Some waste is there.

14 MS. CHEEVER: Does that mean those would be
15 removed if you saw a particularly large chunk of concrete?

16 MR. ULLENSVANG: Yes. And that would be
17 both for the foundation layer, which will be beginning the
18 constructed cap and in the moved material, big huge hunks
19 of concrete and other materials that make it hard to
20 manipulate will be removed.

21 MR. DIES: With someone who doesn't have
22 ten years on the RAB, this is the largest waste area
23 that --

24 MR. ULLENSVANG: Volume-wise, yes.

25 MR. HULTGREN: There will still be waste

1 that won't be uncovered; right?

2 MR. ULLENSVANG: All the waste.

3 MR. HULTGREN: Won't be discovered.

4 MR. ULLENSVANG: Won't be manipulated. A
5 significant amount of the waste --

6 MR. HULTGREN: We're moving what we have to
7 to get this done.

8 MR. ULLENSVANG: A significant amount of
9 waste is not touched or at all under these three sub-
10 alternatives.

11 MR. HULTGREN: Another thing. I assume
12 that there will be a parking lot here. If not
13 immediately, at sometime.

14 What kind of drainage will -- will be
15 provided for that?

16 MR. COOPER: That will be, you know -- the
17 plans we'll put together to drain the parking lot and you
18 need drainage for the slopes of the landfill, also.

19 MR. HULTGREN: There will be a drainage
20 plan?

21 MR. COOPER: That's more of a design issue.
22 Those details have to be worked out, but you have to think
23 about drainage for not only the parking lot, but for the
24 side fills, as well.

25 MS. YAROS: If you can review for myself,

1 these are closely -- well, to my eye, actually, I'm having
2 a hard time seeing it, to tell you the truth.

3 The first question is if they were -- if we
4 can see all three of these designs completed, would they
5 look similar -- at first completed as they do to me in
6 these models?

7 MR. ULLENSVANG: They might. The things
8 that you can't tell with the models the very small models
9 and very big feature. Some of the things that are subtle
10 in the models may be more pronounced full scale, and there
11 may be some differences in the types of plants that grow.
12 You might see some texture changes that the habitats vary
13 between these different slope configurations.

14 So those are things that don't come out in
15 the model.

16 MS. YAROS: Okay. But then would you say
17 that all three of them would be roughly equally the same
18 aesthetically to your eye or anybody?

19 MR. ULLENSVANG: When I look at them, I
20 think there may be aesthetic differences in the final
21 products amongst these three, and it may be that somebody
22 might just know they're different, but not know why, that
23 kind of subtle nature.

24 You might look at -- if you could just blink
25 and it would be change alternatives like a slide show, you

1 might say those are different, but I don't understand why.

2 MR. BOGGS: This was one of the things --

3 MS. YAROS: But equally pleasing to the
4 eye.

5 MR. ULLENSVANG: Aesthetics is such an
6 objective thing. Different people might prefer different
7 alternatives.

8 MS. YAROS: Of course beauty is in the eye,
9 but in general on a practical level, they will be equally
10 aesthetically pleasing to --

11 MR. ULLENSVANG: Right.

12 MS. YAROS: -- different people in general?

13 MR. ULLENSVANG: Yeah, and I think that if
14 I look at these, I'd say that I think one of them might
15 be -- might be more aesthetic to more people than the
16 others, but I think that that's very subjective and I
17 wouldn't even say which one it was at this point.

18 MS. YAROS: Right.

19 MR. ULLENSVANG: And you -- you may prefer
20 one to the other two and maybe different than what I
21 prefer.

22 MS. YAROS: I have no preference and that's
23 unusual to me, but I -- really. I am having a hard time
24 with this.

25 So the next part, are they roughly the same

1 amount of money to --

2 MR. ULLENSVANG: They're roughly about the
3 same. They're about the same amount of money.

4 MS. YAROS: So they're roughly the same
5 aesthetically and it's roughly the same money-wise, so can
6 you tell us -- would somebody tell us what -- what some
7 significant differences there are here? Because if there
8 aren't, I don't even understand why --

9 MR. ULLENSVANG: The differences -- these
10 are -- they're G subalternatives, so there are -- amongst
11 all those different subalternatives, there are some very
12 significant differences.

13 These three stood out amongst the group, but
14 not each other. So as I said at the beginning, these all
15 have pros and cons that make them similar in the overall
16 quality of the three.

17 You know, for example, subalternative 2B is
18 very different than these three and has attributes that
19 make it far inferior to these three.

20 MS. YAROS: But that one's not here.

21 MR. ULLENSVANG: These have already floated
22 to the top and the trust for review.

23 MS. YAROS: These three are preferred.

24 MR. ULLENSVANG: Yes.

25 MR. HULTGREN: This one shows quite a

1 difference to the other two because it -- the difference
2 in slope, but what I'm not clear about is what are the
3 differences between this one and that one?

4 MR. BERMAN: The one on the far end has the
5 uniform slope all the way down. This has a varied slope.

6 MR. ULLENSVANG: This one varies from here
7 to here.

8 MR. HULTGREN: Oh, does it?

9 MR. ULLENSVANG: Two to one, two and a half
10 to one. This is two and a half to one the entire way.

11 MR. HULTGREN: Very subtle.

12 MS. YAROS: These are very subtle.

13 MR. COOPER: Your comment might end up
14 saying the differences between these three design options
15 are not a big deal for me.

16 MS. YAROS: Generally, would you say?

17 MR. COOPER: You as an individual might be
18 more interested whether we have a permeable cover or
19 whether we put a plastic layer in the middle of the cover
20 or whether you might say -- I don't know -- I want clean
21 closure or something else.

22 FACILITATOR KERN: I want to say if there
23 wasn't a parking lot or if there wasn't habitat or a
24 combination of both, for the people that worked on this,
25 is there something else that wouldn't cost five million

1 dollars and still get us stabilization?

2 I mean, is there something binding this
3 in -- it's like I keep looking at it and this is all we
4 have, and I know there are the other alternatives, but I
5 don't think among those there was a one million dollars.

6 MR. ULLENSVANG: I don't think there was.
7 I think it's a very good question to try to explore is
8 there a cheap alternative that may lose some quality, but
9 what is it that that quality -- is that quality worth the
10 extra four million dollars? That's just numbers.

11 FACILITATOR KERN: What Bob said is the
12 primary reason to do it is to protect Lobos Creek and to
13 protect from, you know, seismic event.

14 Is there something we can do that will be
15 just a pure seismic solution for that but totally
16 sacrifices habitat or totally sacrifices parking or both?
17 At least we kind of then decide what we're --

18 MR. ULLENSVANG: In the determine -- early
19 the document talks about developing alternatives. There
20 was work done at the extremes.

21 What if you wanted to maximize the parking?
22 What if you wanted to maximize the habitat? And so those
23 concepts were explored and what the ramifications of those
24 were, and my recollection -- this is where it would be
25 important to go back and look at the documents.

1 That was quite a while ago when we were
2 doing at. Those extremes were extreme in other features,
3 too. So they didn't make the cost very low.

4 In order to maximize the habitat, it was
5 nearly completely moot because you start to move the slope
6 back to a more natural slope, and to maximize the parking,
7 you had some strength issues to deal with as you steepen
8 the slope in order to create as much flat area as
9 possible.

10 MS. BLUM: What if you moved the parking
11 out of the area, moved it someplace else?

12 MR. ULLENSVANG: And then you create a flat
13 spot on the parking on the top of the hillside and you can
14 look at the alternatives.

15 I believe there's a three to one slope
16 alternative in there, so you can start looking at that and
17 it's a range that's already been explored, and you can
18 also pull out the elements of this project that arguably
19 may be more parking lot related and determine how
20 significant a contributor that is.

21 MS. BLUM: Is it absolutely set in stone at
22 this point a parking lot? Is that elemental to --

23 MR. COOPER: I couldn't find anything in
24 the feasibility where the parking lot was making the cost
25 go up, you know.

1 MR. DIES: I'm sure that you said taking
2 the dirt out and putting it back, that sounds like two to
3 three million.

4 MR. COOPER: That's the expensive part.

5 MR. DIES: That sounds like your world.

6 MR. COOPER: It's not the parking lot.

7 MR. ULLENSVANG: Changing the parking lot
8 and the ball field will not significantly change costs.

9 MR. BERMAN: I'd like to go through Doug's
10 question. I have three or four questions in a row about
11 something really cheap.

12 First of all, how deep is the sand layer
13 that's underneath the sloping hillside and has that been
14 established?

15 MR. ULLENSVANG: The native sand?

16 MR. BERMAN: Berm that's a primary cause of
17 the seismic instability, the sand down on the bottom.

18 FACILITATOR KERN: It's probably at least
19 twenty feet.

20 MR. ULLENSVANG: There's a cross-section in
21 the report that goes through that berm that actually
22 determines how deep that is.

23 MR. ULLENSVANG: It may not be the entire
24 area, but at least in the area where the weakness is.

25 MR. BERMAN: So you could imagine a -- a

1 remedy which just goes down to the bottom of that with
2 your support?

3 MR. ULLENSVANG: Yes.

4 MR. BERMAN: So you get below that sand
5 with pillars and you don't remove any sand or anything, so
6 the cost is just in putting in a certain number of -- of
7 columns down below the sand level so it gets into the
8 rock, and, you know, that doesn't have any removal
9 associated with it, potentially, other than just digging
10 the hole, and the question is: Is that kind of thing just
11 so prohibitive?

12 Because normally putting down -- digging a
13 big hole and putting concrete -- reinforced concrete is
14 not expensive, even twenty feet when you're talking about
15 giving somebody a million dollars to dig forty holes and
16 pour concrete in it, and removing no dirt whatsoever. You
17 know --

18 MR. ULLENSVANG: The technology that was
19 considered for that type of in-pile technology and the
20 engineers that were aware of that technology felt you
21 needed to remove some waste in order to get to an area
22 where you could insert these piles, and it was a fairly
23 high null.

24 They went through the math. There was a
25 computer program they used to determine how much would be

1 removed from the soil. That is discussed in all of these
2 reports.

3 MR. BERMAN: But it didn't say that it
4 actually went below the sand level.

5 MR. ULLENSVANG: I believe it strengthened
6 the sand as opposed to resting on the material below. It
7 doesn't have to fully penetrate. It just has to go
8 through the weak area.

9 There is a cost element and I believe that's
10 the C alternative, and you can pull out the costs from the
11 cost estimate just from the installation and see what that
12 is, and, you know, we can explore that at the committee
13 meeting in two weeks. We can go in and work through the
14 cost estimates.

15 MR. COOPER: I think that would be a good
16 thing to do; not just for the three recommended ones, but
17 some of them that have already been strained out and look
18 at the significant line items.

19 FACILITATOR KERN: I think that what -- a
20 lot of the questions are coming around, and there's been
21 some focus down on these for a variety of reasons, but
22 then for our process, it's kind of like well, what are we
23 getting for the extra amount and it just seems like such a
24 lot to just -- we're not comparing it against anything.

25 MR. ULLENSVANG: I think it would be a

1 valid exercise to work together to dissect cost estimates.

2 MR. BERMAN: I looked at that -- that
3 section and you can't -- it would be nice if you would
4 take us through that because the information there is per
5 unit, and I -- you know, it's hard to establish how many
6 of those pin piles.

7 MR. ULLENSVANG: That's right. You have to
8 have the computer there to really know the numbers, and
9 there are ways to -- I'm pretty sure that there are ways
10 to extract how many units you need for the alternative,
11 and so we can work -- I can't do it without the report.

12 MR. BOGGS: There are actually a number of
13 variations that go into those pin pile calculations.
14 There's different ways of putting pin piles in. You have
15 a column that you're pounding in or whether you're
16 drilling a hole with reinforced concrete, and if you're
17 drilling a hole, is it this big around or this big around
18 and how much closer together.

19 So there's different ways of doing that to
20 get your stability and there's also measured costs.
21 There's a lot of little factors that go into it.

22 MR. BERMAN: Right, but let's say that
23 you're told stabilize it at the cheapest cost, so that's
24 the parameters you put into your computer program.

25 You tell your seismic engineer, you know,

1 tell me how much pin piles and what depth so I get the
2 required stability at the minimum cost, and it would be
3 nice to be able to see what that number is because it's
4 startling -- it doesn't look like it would be more than
5 thirty or forty pin piles.

6 MR. ULLENSVANG: We'll have to go through
7 and explore that. I don't recall the numbers off the top
8 of my head.

9 MS. MONAGHAN: Do you want to tell me
10 what -- the lifecycle or life expectancy?

11 MR. COOPER: If we're able to go with the
12 permeable cover, that means there's no synthetic layer
13 that we have to worry about deteriorating or anything like
14 that, there will be maintenance of making sure that the
15 sand -- that the thickness -- DTSC will set up some kind
16 of minimum thickness that we have to keep, so if people
17 walk on it or animals walk on the top surface that there's
18 a minimum separation of this cap.

19 So unless some 9.0 earthquake knocks it
20 down, it should last in perpetuity, in my opinion.
21 It's -- it's stabilized, you know, waste with basically
22 layers of soil over the top with plants over the top. It
23 should last forever.

24 There will be some maintenance, like I said,
25 if the sand blows and we might have to put some sand in to

1 patch up some holes, but the vegetation --

2 MR. ULLENSVANG: Any of the alternatives
3 have some degree of maintenance because you're not --
4 you're leaving waste in place. So there's some ongoing
5 responsibility to watch it, to tend to it.

6 MR. COOPER: Right.

7 MR. ULLENSVANG: And that varies slightly,
8 mostly between alternative 3 and alternative 2 as opposed
9 to these three because there may be some subtle
10 differences, but at this point no one's able to predict
11 what that is.

12 MS. MONAGHAN: What is the monitoring
13 responsibility in setting these up? Is it forever?

14 MR. COOPER: The long-term groundwater?
15 Not necessarily. I think there's certain requirements of
16 the law, and then from there, we could talk to DTSC.

17 It kind of depends on -- we'll make an
18 argument about what the past impacts have been and there
19 will be some concern.

20 After we reconfigure it, they would want to
21 monitor more frequently for a while, but if those turn out
22 that disturbing the landfill didn't cause a whole bunch of
23 contaminants to come into groundwater and hopefully
24 discontinue it after a certain period of time.

25 MR. ULLENSVANG: There would be some

1 groundwater monitoring in perpetuity. There would be a
2 five-year review in perpetuity. There would some
3 maintenance that would be go on in perpetuity.

4 It's -- with the assumption of cost thirty
5 years present value is small.

6 MS. BLUM: What are the primary reasons we
7 need to do earthquake stabilization here and not other
8 sites?

9 MR. ULLENSVANG: We are doing it at other
10 sites. Other sites have been stable.

11 MS. BLUM: Have been stable?

12 MR. ULLENSVANG: We made the calculation.
13 Or when you remove the site, you don't have these issues.
14 Landfill stability study, there's seismic stability in
15 that and there would be work done in those configurations
16 to ensure that those slopes are stable.

17 MS. BLUM: Not 1 and 2?

18 MR. ULLENSVANG: 1 and 2 --

19 MS. BLUM: We haven't gotten there yet.

20 MR. ULLENSVANG: Those are slated for
21 removal.

22 MR. DIES: So the problem is --

23 MR. COOPER: The cap, you worry about.

24 MR. DIES: This is the largest cap site in
25 the Presidio.

1 MR. ULLENSVANG: Correct.

2 MR. DIES: They're in a whole new ballgame.

3 MS. BLUM: Will be for a short period of
4 time.

5 MR. BOGGS: It already is.

6 MS. BLUM: It will be bigger than E?

7 MR. BOGGS: It's already actually under the
8 agreement, the record of decision that the remedy that is
9 there; i.e., the parking lot, the way it exists is
10 adequate, but it wasn't until this five-year review they
11 said well, in an earthquake, it's not sufficient.

12 MS. BLUM: For what? Safe for what? I
13 guess is my real question.

14 MR. BOGGS: There will be some localized
15 flooding in what is the maximum credibility earthquake.
16 So the maximum credibility earthquake, engineering
17 analysis said that that landfill could slump some and fall
18 into Lobos Creek.

19 The part could slump down into possibly
20 Lobos Creek, so we're basically protecting the drinking
21 water supply.

22 MR. ULLENSVANG: Size-wise, the value of
23 this landfill is estimated to be thirty or forty percent
24 larger than 1 or 2.

25 MS. BLUM: When they did these models,

1 because they have the dead forest on here, the dying
2 forest over here, have they taken into consideration that
3 they're doing an in-study?

4 MR. ULLENSVANG: We haven't done a study
5 for that.

6 MS. BLUM: Wouldn't that the high-risk
7 coming off the trees? Wouldn't they get a problem with
8 the slope?

9 MR. COOPER: I would assume so, yeah, and
10 that's why we need vegetation, and also, as Brian said,
11 the trees that are in existence at the landfill right now,
12 and those alternatives would be removed.

13 MS. BLUM: Wouldn't you get all these going
14 down 15th Avenue here?

15 MR. ULLENSVANG: In the area, those would
16 have to be removed.

17 MS. BLUM: And they would need to be
18 removed.

19 MR. ULLENSVANG: Some through that, and
20 that's one of the design questions of whether those will
21 be allowed to come back on to the landfill.

22 If there was alternative 3 with the liner
23 system, that would probably be prohibitive.

24 MS. BLUM: Is the wind not a concern as
25 planned?

1 MR. ULLENSVANG: That level of detail
2 hasn't been looked at.

3 MS. BLUM: When will it be looked at?

4 MR. ULLENSVANG: I'm not sure.

5 MR. BOGGS: Probably a design
6 consideration. When we're talking about the subtle
7 differences between these three subalternatives, that's
8 actually going on typically what's in the feasibility
9 study.

10 Usually they take the differences between a
11 permeable cap or the number 3 alternatives, which are
12 non-permeable cap and removing it all or no action, and so
13 you're getting here to look at a lot of the design details
14 that technically the way that the federal guidelines goes
15 in preparing a feasibility study, the difference between
16 these three alternatives doesn't really get evaluated
17 adequate with the 89 criteria that are set out in the
18 federal guidance.

19 So in some ways, we're getting a lot more to
20 look at here than we would typically look at. It's not
21 until we actually decide whether we have a permeable cap
22 or a low permeability cap that then we do the design
23 document and start looking at these sub-details.

24 I'm sure with wind and wind erosion, that's
25 going to be a design consideration that then we're going

1 to have to figure out what plants we're going to plant
2 where to hold the sand in place.

3 MS. BLUM: I'm thinking specifically the
4 special management zone.

5 Hey, Mark?

6 MR. FREY: Yes.

7 MS. BLUM: The Lessingia recovery is
8 dependent on a lot of tree removal, yes?

9 MR. FREY: A lot of tree removal is in the
10 recovery plan.

11 MS. BLUM: So the special management zone
12 is tied up with this whole area, so that's why I'm asking
13 these questions. It's not --

14 MR. ULLENSVANG: The -- I think there's
15 some simpler decisions that can be made. You can look at
16 what to do with planting trees separate from what happens
17 here. This decision's being made without knowing what's
18 going to happen here, and --

19 MR. DIES: If you take out those trees, you
20 expose the wind for what's being stabilized.

21 MR. FREY: I believe so.

22 MR. ULLENSVANG: What you might have to do
23 adversely in a windy situation, you might have some higher
24 maintenance making sure that there's the minimum depth of
25 sand right here.

1 FACILITATOR KERN: I guess --

2 MS. BLUM: That's part of the cost, though,
3 to me. I know I'm like a dog on a bone here, but that to
4 me is a certain cost of the site.

5 If it doesn't work for a special management
6 zone or does, that will affect the cost radically.

7 MR. ULLENSVANG: I think that's a valid
8 comment. Right now, we haven't looked at it. The answer
9 is that's a good question.

10 MR. BERMAN: Are all the parking lot slopes
11 the same in the three alternatives?

12 MR. ULLENSVANG: They're similar. There is
13 some difference in this area here because the deeper
14 slope. A lot of them are more flatter.

15 MR. BERMAN: So the actual parking lot area
16 is the same?

17 MR. ULLENSVANG: It's similar, and there's
18 a table in there that goes through them exactly.

19 MR. DIES: They're marked the same.

20 MR. BERMAN: Yeah.

21 MR. ULLENSVANG: But you can see here this
22 one is a little bit closer to the edge of the existing
23 parking lot.

24 FACILITATOR KERN: I guess one other
25 concern, which is -- it keeps sort of boggling my mind is

1 we keep introducing the idea of alternative 2 versus 3,
2 permeable versus non-permeable, but at the same time we're
3 saying -- we're doing this for seismic issues.

4 We're not really doing it to keep the waste away
5 from Lobos Creek, because that's kind of been determined
6 not to be an issue.

7 So I'm not sure that -- are we really
8 deciding that there is -- is anybody concerned? Does
9 anybody have any concerns that we need to protect Lobos
10 Creek from this waste?

11 Because then we really ought to have the
12 impermeable cover, but I don't hear anybody saying we've
13 got to have an impermeable cover.

14 Does either of your agencies have a feeling
15 right now at all?

16 MR. BOGGS: The way the data looks, there's
17 not significant groundwater contamination in the wells.
18 It doesn't look like rain water infiltration into the
19 landfill and into the groundwater is going to cause
20 significant problem.

21 If that were the case or we had any reason
22 to suspect there would liquid waste in there, then yes, it
23 would require a low permeability cover, but right now we
24 don't have a basis to say you need one because there's not
25 bad groundwater impacts.

1 FACILITATOR KERN: All right. So I'm kind
2 of back to where I was. I'm looking for a low cost way to
3 protect the seismic --

4 MR. BERMAN: Right. And that's why --

5 FACILITATOR KERN: And just see that.

6 MR. BERMAN: That filler might even be
7 feasible without removing the willows.

8 MR. BOGGS: Well, one thing I can do, it's
9 actually -- I thought at the end of last week our seismic
10 person up in Sacramento, his analysis was either going to
11 be done late last week or early this week.

12 So I'm going to put those questions forward
13 to him, as well, see if he has some ideas of things that
14 should be considered, you know, that get us down below the
15 five million and does adequately protect Lobos Creek and
16 the environment.

17 MR. BERMAN: Lobos Creek for this maximal
18 credible.

19 MR. BOGGS: Right.

20 MR. BERMAN: If it wasn't for that, the
21 creek would be okay. The old document before the five-
22 year review, everything was okay until that particular
23 calculation came in.

24 MR. ULLENSVANG: There were several
25 significant flaws in the previous decision document.

1 MR. BOGGS: Yeah.

2 MR. ULLENSVANG: There was no cleanup level
3 selection. There was no analysis of slope stability at
4 all, and so I -- and there are contaminants here that were
5 found during the five-year review that weren't -- weren't
6 found by the Army.

7 MR. BERMAN: Yes.

8 FACILITATOR KERN: I should say before we
9 continue our next agenda item that Craig has graciously
10 provided us a special treat for our honorees tonight.

11 MR. COOPER: Sugar fix time.

12 FACILITATOR KERN: Maybe we should take a
13 little break and we'll come back to this next agenda item.
14 (Recess taken).

15 FACILITATOR KERN: So we will continue.
16 We'll continue with our landfill 10 discussion at the next
17 committee meeting. We'll try to really get into some cost
18 analysis.

19 Today three of us -- Mark and Jan and
20 myself -- met with Craig Middleton, Jeff Deis and Craig
21 Cooper around the cost tracking, and for those of you just
22 as kind of a recap on this, some two years ago that we
23 began asking for more detailed cost tracking on the
24 remediation program and spent any number of months
25 developing a letter that we sent to Craig specifying what

1 we'd like to see in those reports and then offering
2 assistance in trying to help with locating a person that
3 he could bring on to help him with that accounting, and
4 that was all around two years ago.

5 So we have been in receipt of these reports
6 recently. We've written a comment letter and we've gone
7 on to meet with Craig Middleton today, and so between Jan
8 and Mark and myself, we hope -- and Craig, of course, to
9 relate what happened at that meeting.

10 So our agenda was effectively to bring the
11 message that it looks -- it appears that there would be
12 budget shortfalls and that it was our desire to not
13 retreat on remedies, to have complete remedies, but since
14 we have thirty percent of the budget, we still have some
15 time to make corrections as far as costs and still be able
16 to do the entire program.

17 And I -- I guess I would say right at the
18 start that Craig Middleton and Jeff Deis were both very
19 see receptive to us, as Craig has been through this
20 process.

21 They've been very receptive, and just to
22 characterize the meeting generally, I felt that we were
23 all around the table working on the same problem,
24 everything was getting put out on the table as -- here's
25 an issue and how are we going to solve it as a team.

1 So I felt that was a great start, and the
2 opening conversation of hopefully many.

3 It seems that the -- the word has reached
4 the highest levels, then, within the trust that there is
5 some budget shortfall.

6 I don't know that anybody yet is ultra
7 confident about what the number is, and that's one area
8 that we also recommended that Craig Cooper receive
9 additional support from accounting group, and Craig
10 Middleton has mentioned to me today during the meeting
11 that the CFO would be providing that kind of support for
12 Craig.

13 So he's going to be getting -- I don't know
14 if it's carte blanche accounting support, but it's my
15 impression that he will now have access to people to be
16 able to do more detailed analyses for the costs.

17 And Mark and Jan, feel free to jump in, and
18 Craig, if you'd like as I'm going.

19 So there was -- I think I can jump towards
20 the end to try to make -- instead of covering the whole
21 meeting, but there was an idea that got out on the table
22 that perhaps what needed to happen was -- because we're
23 kind of zeroing in on the remedies, there's general
24 agreement about the entire set, that some of the details
25 need to work out, perhaps a site here or there needing to

1 be worked out, and if we can generally agree on the
2 remedies and if we raise the priority of -- of cost and
3 tracking the cost and looking at how much we're spending
4 on different parts of the program to a top priority, then
5 the whole team, whether the regulatory community, the --
6 you know, the RAB community, just the outside public, the
7 trust, the park service and get people around the table
8 looking at solving the problem together, how can we meet
9 all of our -- the objectives of the different stakeholders
10 working as a team and reduce the cost across the whole
11 program so we have enough money to do the whole program.

12 And I think there was agreement around the
13 table, that that seemed like a reasonable thing to do.

14 In order to prepare for that, that kind of a
15 meeting where all the interests would be represented, the
16 trust needs to do detailed homework as far as analyzing
17 the cost of sites that have already been completed.

18 So that's a task that Craig is going to
19 embark upon, is getting the accounting help he needs and
20 then doing the detailed analysis, and I offered from the
21 RAB perspective that we would form a subgroup of
22 interested and capable members that would feel -- that
23 would be prepared to ask very detailed and insightful
24 questions about whatever information he might generate to
25 really shake it out, to really see if there were ways --

1 other questions that he would need to ask of his data, and
2 so I've kind of volunteered some of us in advance to help
3 with that project.

4 So I guess in general, what I'm seeing out
5 there in the future is a meeting with all the stakeholders
6 and looking at, say, remedies, costs and the success of
7 the whole program and how we can achieve that working
8 together, where are some of the costs going up that they
9 could be brought down.

10 One of the classic examples that we talked
11 about in today's meeting would be redrafting of documents.
12 Every time it goes back for redraft, it costs us a lot of
13 money.

14 So if we can be around the table, maybe we
15 can send that off to the contractor here's what we want.
16 Please deliver this the first time we ask for the
17 document.

18 That would be a possibility, and if the
19 regulators and the community and the park service and the
20 trust are all around the table saying, "This is what we
21 want," maybe that would be a way to reduce some of that
22 cost in terms of documents.

23 There would be other possible ways with
24 planning efforts that we visualize, but first there just
25 needs to be this analysis of how much things have cost so

1 far.

2 Some I'm kind of blabbering on. That was --
3 that's kind of where we left it, that there would be a
4 meeting out there sometime of all the stakeholders, that
5 this analysis would be done in advance and there would be
6 some effort to try to bring everybody together working as
7 a team to solve the problem, to get all the remedies done
8 within the budget. Sounds good.

9 Sam, please.

10 MR. BERMAN: Is this the right moment to
11 ask some questions?

12 FACILITATOR KERN: Yeah. Hopefully.

13 MR. BERMAN: One of the things that's
14 bugged me about the cost from the very beginning is the
15 decision which says the staff costs for the -- for the
16 trust staff has to be charged to the hundred million, and,
17 you know, if you look at the projected costs -- if you
18 look at the projected trust staff costs out to completion,
19 it's sort of the overrun.

20 It's roughly of that magnitude if you look
21 at the numbers that we saw generated and discussed a
22 little bit. Often the internal costs are not presented in
23 some of the earlier documents.

24 So one of the ways of -- of -- I mean, it's
25 sort of very strange from the outset that the rest of the

1 Presidio staff is sort of -- is paid out of the general
2 funds, et cetera and the rents and other things like that,
3 but the remediation has to come out of the Army money.

4 So, anyway, that's a decision that was made,
5 but it's not a law of nature and that could be changed,
6 and that's one way that you could come in under the
7 hundred million, and the reason that this is not so stupid
8 is that Zurich, who's the insurer, does not consider
9 in-house costs as chargeable.

10 So it's not as if one is inventing a concept
11 which is out of the blue.

12 So, you know, I don't know if this was
13 discussed at the meeting, but I think this is an agenda
14 item that should be discussed at this future meeting that
15 you're talking about.

16 I think it's a very serious item and it's
17 one where the largest chunk of money could come from in
18 order to get the project done, you know.

19 I'm sure that there's going to be a lot of
20 opposition to this, but I -- I feel as a public body we
21 should insist that this is an agenda item in any meeting
22 that's discussing the possible shortfall.

23 MR. COOPER: I completely agree. I
24 completely agree. I've raised this issue a couple times
25 with management. I have actually -- it will be in my

1 recommendation to management about this.

2 I think I've raised this to management a
3 couple years ago, you know, and where we're struggling is
4 for every remediation staffer that we put over on to
5 the -- what we call the general funds where all the other
6 trust labor is paid out of, that's one less person that we
7 can pay for in the planning department or the accounting
8 department or operations and so on.

9 So that's the pushback that I've got, you
10 know, so far, and they said, you know, at least two years
11 ago, you know, before I knew, you know, of my shortfall,
12 they said it doesn't appear that you have a financial
13 problem, so why are you trying to jam these other
14 departments' budgets, and so now at least I'm redoing the
15 memo again and saying: "Okay. Now here's my rationale.
16 I've got a serious problem on my hands now and I think
17 that it's time for the other departments to understand
18 that and we need to work together as an agency to help
19 solve this problem."

20 So I did -- originally two years ago, I
21 recommended that we were going to transfer one person over
22 each year, but that was starting in fiscal year 2002 or 3,
23 so -- 2003, but now I'm redoing the memo that I want to
24 transfer three people over starting in F-2006, you know.

25 There's -- I think there's eight or nine

1 staffers getting paid out of the Army funds right now, and
2 I would like to move, you know -- my recommendation to
3 management is going to be that we move three over each
4 fiscal year.

5 So starting in fiscal year --

6 MR. BERMAN: So if you do that, how much of
7 this projected shortfall do you recover?

8 MR. COOPER: I haven't run the numbers on
9 that, but that's what I'm going to put in my new memo
10 about how much is -- how much of the shortfall will get
11 cut back.

12 MR. BERMAN: Because if you look -- if you
13 look at the total projected costs for Presidio staff from
14 the beginning and project that out, you come out with a
15 number of about twenty -- twenty to 25 million, which is
16 the product of the shortfall.

17 So, you know, I think that's one thing that
18 could be -- maybe you can't get everyone on to it. Maybe
19 your salary will still have to come out of -- out of the
20 Army money.

21 MR. COOPER: No reason.

22 MR. BERMAN: But I agree. I think there's
23 no reason that should have been done in the first place --

24 MR. COOPER: Mm-hmm.

25 MR. BERMAN: -- but I think that the

1 pressure is on the CFO and on Middleton because these are
2 policy decisions that were made initially that now are
3 detrimental.

4 MR. COOPER: Right.

5 MR. BERMAN: And so to speak, I consider
6 this -- and I hope we can talk about it in our meetings,
7 but I would like to try to get everyone to insist that
8 this is an absolutely major item that we have to deal
9 with.

10 MR. COOPER: Before you get -- yeah. I'm
11 going to take a second stab, and as Doug said, one of my
12 action items and it is I'm going to do this analysis
13 memorandum analysis with the CFO, we're going to distill
14 the recommendations, and what I said at the meeting today
15 is those recommendations will get shared with everybody on
16 the RAB.

17 So be tuned for specific recommendation on
18 that particular issue, and whether it's going to be three
19 people in FY '06 or what, you'll at least see how internal
20 in the trust we recommend, and if you guys don't like what
21 we recommend on that particular issue, you can comment on
22 that one.

23 But I can guarantee you there will be a
24 recommendation on that issue. If it's going to be
25 aggressive enough for you all's liking, you can comment at

1 that time.

2 FACILITATOR KERN: John.

3 MR. BUDROE: I would surmise what would,
4 and Craig, you do not have to answer this, but when the
5 trust really first got started from the Army, they had a
6 pretty major cash flow from things coming in from property
7 rentals and stuff, a hundred million dollars, and there's
8 a big pot of gold and we can pay that remediation. That's
9 not a problem.

10 MR. COOPER: Right.

11 MR. BUDROE: Now, George Lucas for better
12 or worse is providing some of that sample.

13 MR. COOPER: Mm-hmm.

14 MR. BUDROE: And whereas the outflow of the
15 actual remediation projects has increased hugely, so,
16 yeah, I would -- this would probably be a real good time
17 to revisit that, and the numbers are going to be a whole
18 lot more in your favor this time around, so --

19 MR. COOPER: Right.

20 FACILITATOR KERN: Mark or Jan, any other
21 ideas?

22 MR. COOPER: I've got a little minor
23 recommendation. You said that you're going to enlist RAB
24 people to come up with specific questions on the -- you
25 know, the data sets that I put together.

1 In fact, what I'd like even -- I welcome
2 that, but I had even before I start, you know, generating
3 this data and I sit down with the CFO is that I'd almost
4 like a set of questions in advance, as well, and of course
5 in particular, if you're looking to -- if you were tasked
6 with my job of putting together this, you know, analysis,
7 what specific contents -- what would the table of contents
8 of this memo look like and what would some of the specific
9 analyses that you would do knowing -- because I've got the
10 same -- pretty much, you've got the same data set that I'm
11 working off of right now.

12 We know that we want to improve our data set
13 in the future. We can talk about that if you want. You
14 know that the data set that I'm working off of right now
15 is my quarterly financial reports that I send you all.

16 How would you manipulate that data and take
17 a look at it and slice it and dice it?

18 So I've got some ideas. I'm going to get
19 some more ideas from the CFO, you know, and we'll start
20 working on it, but if you guys want to get your ideas and
21 e-mail them into me, we can start to incorporate them in
22 early on instead of just wait on getting comments on a
23 draft report.

24 MR. BERMAN: I think crucial in that,
25 Craig -- excuse me for interrupting. I think you were

1 finished.

2 MR. COOPER: I'm done, yeah.

3 MR. BERMAN: It seems to me very crucial in
4 that is for us to get as soon as possible the actual total
5 cost of those sites that are completed and closed out.

6 I -- I think because that's really the
7 number that counts, and we don't have any of that at the
8 present time, and I think that would be very useful in --
9 you know, in looking at that and seeing what that looks
10 like so that we can ask some questions that are based on
11 some -- something that's realistic.

12 MR. COOPER: Yeah. You have -- you know,
13 you can pull out my quarterly -- my report number two,
14 look at landfill 4, look at fillsite 5. Those sites are
15 pretty much done.

16 We're still in the three-year groundwater
17 monitoring, but those -- all those invoices have been paid
18 and registered and tracked against those projects, and
19 look at that as of June 30th, 2005, and the only costs
20 that we're burning on landfills 4 and fillsite 5 now is
21 some groundwater monitoring costs.

22 So --

23 MR. BERMAN: Would you say that those are
24 sort of certified final costs?

25 MR. COOPER: Yeah, mm-hmm.

1 MR. BERMAN: Okay.

2 MR. COOPER: Yeah. Again, they're curving
3 a little bit, but burn rate is way down on this now, and
4 there's Baker Beach 3 and Baker Beach 4 have pretty much
5 gone through the -- the construction completion report is
6 done.

7 We're doing some groundwater monitoring at
8 Baker Beach 3. We've talked about that in the past. When
9 we get through that in the pipeline, we'll use that data
10 as the basis of our analysis, and that's what I plan on
11 using.

12 Just for some information, Alan has done
13 some preliminary slicing and dicing. I just did some
14 rough cuts for the projects that have made it all the way
15 through like that.

16 What percentage of the money went to
17 planning. What percentage of the money actually went to
18 physical in the field cleanup work and what percent is
19 allocated for post construction, you know, monitoring and
20 stuff like that.

21 And I'm going to throw some percentages out,
22 but I need -- I have not double-checked his work or
23 anything like that, but roughly it's thirty percent of all
24 of our -- of these costs that have made it through
25 pipeline so far went to planning.

1 Fifty percent for construction, cleanup work
2 and twenty percent, which seemed a little high to me, but
3 for post construction work, but what we -- I mean, just --
4 and, you know, I'm going to double-check those numbers.

5 That's definitely going to be one of the
6 analyses that I'm going to put in, but I'll show you my
7 data, but even if those are close plus or minus five
8 percent or whatever, it shows that a remediation program,
9 there's a significant chunk that goes to, you know,
10 planning documents and a significant chunk that goes to
11 post work that basically half the money, you know, at this
12 point, and I'm going to double-check that, you know,
13 actually get -- gets actually spent for cleanup.

14 MR. DIES: Two quick thoughts. When you're
15 doing that, could you break out the past posting of trust
16 salaries?

17 MR. COOPER: Mm-hmm.

18 MR. DIES: I think they were both somewhere
19 in planning and somewhere in remediation depending on the
20 stage you go.

21 MR. COOPER: Correct, yeah.

22 MR. DIES: I'm interested as you verify
23 that breakdown where the trust salaries.

24 MR. COOPER: Are most of our salary money
25 going to planning --

1 MR. DIES: Was ten percent trust salaries,
2 twenty percent external consultants.

3 MR. COOPER: Sure. Okay.

4 MR. DIES: That's one thought.

5 The other thought is if you win the
6 intellectual battle about transferring people in the
7 future --

8 MR. COOPER: Mm-hmm.

9 MR. DIES: -- I'll throw it out there. Is
10 there any way to get back any of the money charged against
11 the hundred million in the past?

12 Again, I completely agree with Dave.
13 There's no -- nothing carved in stone that trust salaries
14 have to be charged against the hundred million.

15 MR. COOPER: Right.

16 MR. DIES: It was executive decision.

17 MR. COOPER: Made back in 1999.

18 MR. DIES: For convenience or whatever. It
19 could be reversed, and if so, can anything be undone in
20 past years?

21 MR. COOPER: Okay.

22 MR. DIES: You're being aggressive with a
23 new plan of three per year going forward. I'm more
24 aggressive. Let's look at the past.

25 MR. COOPER: Yeah. I never thought of

1 that.

2 MR. DIES: Well, you're supposed to speak
3 with your CFO.

4 MR. COOPER: That would mean -- yeah. Let
5 me put some thought to that before I start thinking out
6 loud.

7 MR. DIES: I'd be happy to e-mail Doug more
8 questions like these.

9 MR. COOPER: Please do.

10 MR. DIES: But those do occur to me
11 immediately. Again, this is government accounting. Well,
12 it is or it isn't. It's not use it or lose it type stuff.

13 MR. COOPER: Correct.

14 MR. DIES: This is accounting versus the
15 hundred million on a lifetime basis, and there is no
16 reason that prior years cannot be corrected in my mind.

17 MR. COOPER: And replaced with other.

18 MR. DIES: Well, I mean, as -- as Dave
19 politely pointed out, the only rules of the road here are
20 set down by Zurich and you're disagreeing with their
21 rules. Somebody's disagreeing with their rules.
22 Therefore, we're in no man's land.

23 MR. COOPER: Mm-hmm.

24 MR. BUDROE: The only problem with that is
25 the prospect for hearing damage.

1 MR. DIES: Sorry, Sam. I'm agreeing with
2 you.

3 MR. BERMAN: Okay.

4 MR. BUDROE: When you start screaming so
5 loud to go to get that money back that everybody's ear
6 drums burst. That would be the one thing with trying to
7 do that, but hey, if you can do it, go for it.

8 MR. COOPER: Yeah, you know, as you know,
9 the money that we spent in the past years, George, on
10 admin costs, those are never really reported to Zurich
11 because we know from the beginning those were allowable
12 costs.

13 I've never put those costs into an official
14 report to Zurich because those were unallowable costs.

15 So Zurich only -- I only report allowable,
16 what I think are allowable costs to Zurich.

17 So as far as Zurich knows, I don't know if
18 the Zurich guy. I don't care if the Zurich guy's in the
19 room or not. Whether they know or not, that's what you're
20 thinking.

21 MR. DIES: That's what I'm thinking.

22 MR. COOPER: I've never reported those
23 admin costs to Zurich.

24 MR. DIES: And again, I haven't seen the
25 text of that part of the policy. I understand they have

1 rules on what you can submit, but versus the Army, there
2 are no rules.

3 MR. COOPER: I just report a lot of rules.

4 MR. BOGGS: When push comes to shove, in
5 order to collect on the policy, you will have had to spend
6 those salaries, anyway.

7 MR. COOPER: Right. Exactly.

8 MR. BOGGS: So that money will get spent by
9 the trust if you ever get to the point of trying to make
10 the claim in the policy.

11 MS. BLUM: Well, it would be very exciting
12 to have the legal team scan these costs for every little
13 penny, as well in lieu of the contract to be sure that
14 we're squeezing the lemon as hard as we can.

15 MR. COOPER: Mm-hmm.

16 MS. BLUM: Because it does come down to --
17 somebody's got to pay, and I'm sure the trust doesn't
18 really want to put all of that money out-of-pocket before
19 the override kicks in.

20 MR. COOPER: Right.

21 FACILITATOR KERN: So we'll begin to pass
22 around the e-mail this sort of series of potential
23 questions to examine the database.

24 Many of them we've been asking them, anyway.
25 It's not going to take us very long to think of what those

1 are going to be.

2 So I -- yes, Jan.

3 MS. MONAGHAN: I was just going to just say
4 there were three things that I heard in the three minutes
5 of our meeting that I thought were interesting and they
6 all came out of Craig Middleton's mouth.

7 That is, we talk about a hundred million
8 dollars. The first thing he said was he's counting 118
9 million dollars. Because he's counting the interest.
10 That's a different perception that he had.

11 The second thing is he said let's cut cost.
12 It had nothing to do with remediation. It had nothing to
13 do with the program. He was looking for ways to cut the
14 cost. Hoping that we were going to find alternative
15 courses for of course income, all of those things are way
16 down his list.

17 Speeding up the program, because he thinks
18 the longer the program runs, the more expensive it's going
19 to be.

20 That's one of the things that I was going to
21 look at is the cost of the program over time, because one
22 of the things that we had kicked around is if we really
23 used that interest income, maybe things will get pushed
24 out instead of doing some things faster because the
25 money's working for us.

1 Anyway, those were the three things that I
2 thought were really interesting for him to say.

3 FACILITATOR KERN: So in order to
4 understand that, we'd want to compare projects that were
5 completed early in the program and look at unit rates and
6 look at trends of those rates, and I know we have one very
7 early in building 637, there was excavation component, and
8 that whole project is done and that could be easily
9 compared to the most recent and we could look at all in
10 between. So that's a great idea.

11 MR. BOGGS: One of the things that that
12 does in the most economic way would be get all of the
13 investigation and all of this work done by next week and
14 not start a single remediation project for eight years or
15 so. Just let the money collect interest while nothing is
16 being spent for eight years, collect the interest and --

17 MR. BERMAN: You have to trade off
18 against -- you could only make money on that if you fired
19 all the staff because the eight years you'd have to -- so
20 the question is is the interest covering the staff costs
21 and it doesn't look like it.

22 MR. BOGGS: That's why I said the work
23 would essentially stop at that time for five years.

24 MR. BERMAN: And dismiss all the staff at
25 the same time.

1 MR. BOGGS: It's not a very realistic
2 model, but that would be the most economic way to make use
3 of that hundred million dollars, to handle all the staff
4 stuff immediately and then --

5 MR. BERMAN: Right. You could have said
6 taken the hundred million dollars in the beginning and
7 bought some shares of Google and --

8 FACILITATOR KERN: And it wouldn't matter
9 then.

10 All right. So I guess as a closing comment
11 on this particular subject, while this has taken many
12 months, in fact a couple of years now, has occasionally
13 been painful with perhaps some blood on the floor, I think
14 we're making progress and that -- that in our cooperative,
15 collaborative fashion, we are being heard and we're going
16 to be part of the solution.

17 So I want to commend the group for
18 continuing to have input and I think we're ahead of the
19 problem. We still got seventy percent of the funds left
20 to spend, so we still have time to make this thing happen.

21 All right. So any other comments on that
22 subject? Are there any other announcements or comments
23 for the evening?

24 Seeing none, I want to thank again our ten-
25 year folks and their contribution, and without objection,

1 meeting adjourned.

2 (The meeting concluded at 9:16 PM).

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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN FRANCISCO)
3

4 I, the undersigned, hereby certify that the
5 discussion in the foregoing meeting was taken at the time
6 and place therein stated; that the foregoing is a full,
7 true and complete record of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the foregoing
10 meeting and caption named, or in any way interested in the
11 outcome of the cause named in said action.
12

13 IN WITNESS WHEREOF, I have
14 hereunto set my hand this
15 _____ day of _____,
16 2006.

17 _____
18 Mark I. Brickman CSR No. 5527
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